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REPORT

on the implementation of the UN Convention on the Rights of Persons with Disabilities, with special regard to the Concluding Observations of the UN CRPD Committee
(2015/2258(INI))

Committee on Employment and Social Affairs

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(*) Associated committees – Rule 54 of the Rules of Procedure

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(*) Associated committees – Rule 54 of the Rules of Procedure

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the implementation of the UN Convention on the Rights of Persons with Disabilities, with special regard to the Concluding Observations of the UN CRPD Committee (2015/2258(INI))

The European Parliament,

- having regard to Articles 2, 9, 10, 19, 168 and 216(2) of the Treaty on the Functioning of the European Union (TFEU) and Articles 2 and 21 of the Treaty on European Union (TEU),
- having regard to Articles 3, 15, 21, 23 and 26 of the Charter of Fundamental Rights of the European Union,
- having regard to the United Nations Convention on the Rights of Persons with Disabilities (CRPD) and its entry into force in the EU on 21 January 2011 in accordance with Council Decision 2010/48/EC of 26 November 2009 concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities¹,
- having regard to the Concluding Observations of the UN Committee on the Rights of Persons with Disabilities of 2 October 2015 on the initial report of the European Union²,
- having regard to the List of issues of the UN Committee on the Rights of Persons with Disabilities of 15 May 2015 in relation to the initial report of the European Union³,
- having regard to the Code of Conduct between the Council, the Member States and the Commission setting out internal arrangements for the implementation by and representation of the European Union relating to the United Nations Convention on the Rights of Persons with Disabilities,
- having regard to the Universal Declaration of Human Rights, the Convention for the Protection of Human Rights and Fundamental Freedoms, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,
- having regard to the UN Convention on the Rights of the Child (CRC),
- having regard to the UN Guidelines for the Alternative Care of Children⁴,
- having regard to Regulation 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries

¹ OJ L 23, 27.1.2010, p. 35.

² CRPD/C/EU/CO/1.

³ CRPD/C/EU/Q/1.

⁴ A/RES/64/142.

Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006¹,

- having regard to Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation²,
- having regard to the judgments of the Court of Justice in Joined Cases C-335/11 and C-337/11 *HK Danmark* and in Cases C-363/12 Z and C-356/12 *Glatzel*,
- having regard to the joint communication of 28 April 2015 by the Commission and the High Representative of the European Union for Foreign Affairs and Security Policy to the European Parliament and the Council entitled ‘Action Plan on Human Rights and Democracy 2015-2019: “Keeping human rights at the heart of the EU agenda”’ (JOIN(2015)0016),
- having regard to the proposal of 2 December 2015 for a directive of the European Parliament and of the Council on the approximation of the laws, regulations and administrative provisions of the Member States as regards the accessibility requirements for products and services (COM(2015)0615),
- having regard to the Commission staff working document of 19 June 2015 entitled ‘Reply of the European Union to the list of issues in relation to the initial report of the European Union on the implementation of the UN Convention on the Rights of Persons with Disabilities’ (SWD(2015)0127),
- having regard to the Commission staff working document of 5 June 2014 entitled ‘Report on the implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD) by the European Union’ (SWD(2014)0182),
- having regard to the Commission communication of 25 October 2011 entitled ‘Social Business Initiative: Creating a favourable climate for social enterprises, key stakeholders in the social economy and innovation’ (COM(2011)0682),
- having regard to the Commission communication of 15 November 2010 entitled ‘European Disability Strategy 2010-2020: A renewed commitment to a barrier-free Europe’ (COM(2010)0636),
- having regard to its resolution of 25 February 2016 on European Semester for economic policy coordination: Employment and Social Aspects in the Annual Growth Survey 2016³,
- having regard to its resolution of 10 September 2015 on creating a competitive EU labour market for the 21st century: matching skills and qualifications with demand and job opportunities, as a way to recover from the crisis⁴,

¹ OJ L 347, 20.12.2013, p. 320.

² OJ L 303, 2.12.2000, p. 16.

³ Texts adopted, P8_TA(2016)0059.

⁴ Texts adopted, P8_TA(2015)0321.

- having regard to its resolution of 10 September 2015 on social entrepreneurship and social innovation in combating unemployment¹,
- having regard to its resolution of 8 September 2015 on the situation of fundamental rights in the European Union (2013-2014)²,
- having regard to its position at first reading of 8 July 2015 on the proposal for a Council decision on guidelines for the employment policies of the Member States³,
- having regard to its resolution of 20 May 2015 on the List of Issues adopted by the United Nations Committee on the Rights of Persons with Disabilities in relation to the initial report of the European Union⁴,
- having regard to its resolution of 4 July 2013 on the impact of the crisis on access to care for vulnerable groups⁵,
- having regard to its resolution of 25 October 2011 on mobility and inclusion of people with disabilities and the European Disability Strategy 2010-2020⁶,
- having regard to its resolution of 6 May 2009 on the active inclusion of people excluded from the labour market⁷,
- having regard to the European Parliamentary Research Service in-depth analysis entitled ‘EU Implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD)’,
- having regard to the 2030 Agenda for Sustainable Development,
- having regard to the Annual Report 2014 of the European Ombudsman,
- having regard to the decision of the European Ombudsman closing her own-initiative inquiry OI/8/2014/AN concerning the Commission,
- having regard to the forthcoming 2015 Annual Report of the European Union Agency for Fundamental Rights,
- having regard to the December 2015 study of the European Union Agency for Fundamental Rights on ‘Violence against children with disabilities: legislation, policies and programmes in the EU’,
- having regard to the 2014 Eurostat disability statistics on labour market access, access to education and training, and poverty and income inequalities,
- having regard to Rule 52 of its Rules of Procedure,

¹ Texts adopted, P8_TA(2015)0320.

² Texts adopted, P8_TA(2015)0286.

³ Texts adopted, P8_TA(2015)0261.

⁴ Texts adopted, P8_TA(2015)0208.

⁵ OJ C 75, 26.2.2016, p. 130.

⁶ OJ C 131 E, 8.5.2013, p. 9.

⁷ OJ C 212 E, 5.8.2010, p. 23.

- having regard to the report of the Committee on Employment and Social Affairs and the opinions of the Committee on Civil Liberties, Justice and Home Affairs, the Committee on Petitions, the Committee on Foreign Affairs, the Committee on Development, the Committee on the Environment, Public Health and Food Safety, the Committee on Transport and Tourism, the Committee on Regional Development, the Committee on Culture and Education, the Committee on Legal Affairs and the Committee on Women’s Rights and Gender Equality (A8-0203/2016),
- A. whereas, as full citizens, all persons with disabilities have equal rights and are entitled to inalienable dignity, equal treatment, independent living, autonomy, support from publicly funded systems and full participation in society;
- B. whereas there are an estimated 80 million persons with disabilities in the European Union, of whom women and girls count for approximately 46 million, comprising about 16 % of the total female population of the EU, making the prevalence of disability in the European Union higher among women than among men; whereas women with disabilities are frequently victims of multiple discrimination, facing substantial obstacles in realising their basic rights and freedoms such as the right to access education and employment, which can lead to social isolation and psychological trauma; whereas women are also disproportionately affected by disability as carers of family members with disabilities;
- C. whereas the TFEU requires the Union to combat discrimination based on disability when defining and implementing its policies and activities (Article 10) and gives it the power to adopt legislation to address such discrimination (Article 19);
- D. whereas Articles 21 and 26 of the Charter of Fundamental Rights of the European Union explicitly prohibit discrimination on the grounds of disability and provide for equal participation of persons with disabilities in society;
- E. whereas the CRPD is the first international human rights treaty ratified by the EU, and has also been signed by all 28 EU Member States and ratified by 27 Member States; whereas the Member State that has not yet done so should finalise its reforms with a view to ratifying the CRPD;
- F. whereas this is the first time that the EU has been monitored by a UN body in the fulfilment of its international obligations on human rights; whereas the concluding observations of the UN CRPD Committee published in 2015 regarding implementation of the Convention in the EU sent a strong message regarding the EU’s commitment to equality and respect for human rights and provided for a set of guidelines for legislative and policymaking measures falling within the remit of the EU;
- G. whereas the case law of the Court of Justice reinforces the fact that the CRPD is binding on the EU and on its Member States when implementing EU law, as it is an ‘integral part of the European Union legal order’ that has ‘primacy over instruments of secondary law’¹;

¹ CJEU, Joined Cases C-335/11 and C-337/11 *HK Danmark*, 11 April 2013, paragraphs 29-30; CJEU, Case C-363/12 *Z*, 18 March 2014, paragraph 73; CJEU, Case C-356/12 *Glatzel*, 22 May 2014, paragraph 68.

- H. whereas the CRPD principles go far beyond discrimination, pointing the way to the full enjoyment of human rights by all persons with disabilities and their families, in an inclusive society;
- I. whereas persons with disabilities represent a diverse group, and whereas women, children, older people, and individuals with complex support needs face additional difficulties and multiple forms of discrimination;
- J. whereas disability can be caused by a gradual and sometimes invisible degradation of the state of health of an individual, as is the case for people with neurodegenerative or rare diseases, which might have a negative effect on the independent living of the individual in question;
- K. whereas an estimated 80 % of persons with disabilities live in developing countries; whereas the EU supports the promotion of the rights of persons with disabilities at international level and is the world's biggest donor of official development assistance (ODA);
- L. whereas children with disabilities are 17 times more likely to live in an institution than their peers without disabilities, where their risk of violence, neglect and abuse is much higher than when living at home¹;
- M. whereas children with disabilities have the right to live in (their) families or (a) family environment in line with their best interests; whereas family members often have to reduce or stop professional activities in order to care for family members with a disability;
- N. whereas the UN Convention on the Rights of Persons with Disabilities stresses the need to incorporate a gender perspective into all efforts and to promote the full enjoyment of human rights and fundamental freedoms;
- O. whereas equal treatment and positive measures and policies for women with disabilities and mothers of children with disabilities is a fundamental human right and an ethical obligation;
- P. whereas women and girls with disabilities are exposed to several dimensions of discrimination in their everyday lives; it can take a variety of forms – physical, emotional, sexual and economic – and includes intimate partner violence, violence at the hands of caregivers, sexual violence and institutional violence;
- Q. whereas women with disabilities are more likely to suffer domestic violence and sexual assault which reportedly lasts longer and is more intense than for women without disabilities²;
- R. whereas women with disabilities, especially migrants, are at greater risk of poverty and social exclusion because of multiple discrimination;

¹ FRA report: Violence against children with disabilities: legislation, policies and programmes in the EU, http://fra.europa.eu/sites/default/files/fra_uploads/fra-2015-violence-against-children-with-disabilities_en.pdf

² FRA report, Violence against women: an EU-wide survey. Main results: http://fra.europa.eu/sites/default/files/fra-2014-vaw-survey-main-results-apr14_en.pdf

- S. whereas disability is a cause and can be a consequence of poverty, and whereas approximately 30 % of the homeless population have a disability and are at risk of being overlooked¹; whereas social protection provided by the state in particular plays a significant role in preventing poverty amongst persons with disabilities and whereas, according to 2012 data, as many as 68.5 % of persons with disabilities would live in poverty without social transfers received from the state²;
- T. whereas it is imperative to enforce existing EU law and policy tools in order to maximise the implementation of the CRPD;
- U. whereas a number of Member States that have ratified the CRPD have yet to establish or designate bodies to implement and monitor the Convention pursuant to Article 33; whereas those already established are being hampered in the accomplishment of their tasks, especially with regard to monitoring under Article 33(2), by the lack of funding and manpower and the absence of a sound legal basis for their designation;
- V. whereas one of the most fundamental pillars for persons with disabilities is participation and access to the labour market, which continues to be problematic, standing at 58.5 % compared with 80.5 % among persons without disabilities, thus preventing many persons with disabilities from living an independent and active life;
- W. whereas the employment rate for women without disabilities is 65 %, compared with 44 % for women with disabilities; whereas women with disabilities are often discriminated against by comparison with men with disabilities when it comes to access to employment and education; whereas the high rate of unemployment among persons with disabilities remains unacceptable; whereas women and girls with disabilities encounter greater difficulties in entering the labour market; whereas barriers to mobility and higher dependence on family members and carers need to be overcome in order to encourage active participation by women with disabilities in education, the labour market and the social and economic life of the community;
- X. whereas paid employment is crucial to enabling persons with disabilities to have an independent life and support their family and household; whereas women and girls with disabilities often face underpayment; whereas this vulnerable group of people is more likely to suffer poverty and is at a greater risk of social exclusion;
- Y. whereas the EU, as a party to the CRPD, has the duty to ensure the close involvement and active participation of persons with disabilities and their representative organisations in the development and implementation of legislation and policies to implement the Convention and in all decision-making processes concerning issues that relate to persons with disabilities;
- Z. whereas austerity measures applied by Member States have resulted in cuts in social services, support to families and community-based services and had disproportionately negative effects on the standard of living of persons with disabilities, especially of

¹ Van Straaten et al. (2015). Self-reported care needs of Dutch homeless people with and without a suspected intellectual disability: a 1.5-year follow-up study. In: Health Soc Care Community 2015 Oct 1. Epub 2015 Oct 1.

² EU-SILC 2012.

children with disabilities and their families;

- AA. whereas the Commission has withdrawn its proposal on the Maternity Leave Directive and therefore equal rights of mothers and fathers, children and adults are not sufficiently addressed in the EU work-life balance policy to date;
- AB. whereas Directive 2011/24/EU on the application of patients' rights in cross-border healthcare does not explicitly prohibit discrimination on the grounds of disability;
- AC. whereas, because of demographic and societal changes, there is increased demand for domestic workers and carers, and in particular for family domestic workers and carers; whereas care of disabled and dependent people is usually carried out by women of the family, often leading to exclusion from the labour market;
- AD. whereas the Committee on the Rights of Persons with Disabilities in its Concluding Observations on the initial report of the European Union recommends that the European Union mainstream the disability perspective in its gender policies and programmes, as well as the gender perspective in its disability strategies, and that it develop affirmative actions, establish a monitoring mechanism and fund data collection and research on women and girls with disabilities; whereas it further recommends that the European Union provide effective protection from violence, abuse and exploitation, that the work-life balance policy address the needs of children and adults with disabilities, including their carers, and that measures are undertaken to decrease the high unemployment rates of people with disabilities, the majority of whom are women;
- AE. whereas in its reactions to Parliament's resolution of 27 September 2011 on Europe, the world's No 1 tourist destination – a new political framework for tourism in Europe¹, adopted by the Commission on 13 December 2011, the Commission acknowledged the need to ensure a seamless chain of accessible services to all (transport, accommodation, catering and attractions), and, to this end, it has started to put in place actions to raise awareness, improve skills in the tourism sector and ultimately increase the quality of tourist facilities for those with special needs or disabilities;
- AF. whereas the needs of persons with disabilities, functional diversity and reduced mobility in the fields of transport, mobility and tourism match business innovation opportunities for transport and mobility services and can lead to win-win situations in serving people with all types of disabilities (including, but not limited to, people with reduced mobility (PRM), blind people, deaf and hard-of-hearing people, people with autism and people with intellectual or psychosocial disabilities) as well as all other users of these services, in the spirit of 'design for all';

General principles and obligations

1. Recalls that full inclusion of persons with disabilities is not only a right and a deserved benefit for the individuals concerned, but an asset for society as a whole as it may benefit from the value and diverse skills these persons bring forward;
2. Stresses that all persons with disabilities have the right to live in a society in which they

¹ OJ C 56E, 26.2.2013, p. 41.

enjoy equal opportunities with others, so as to ensure their full inclusion and participation therein;

3. Stresses the fact that the inclusion of persons with disabilities in society regardless of a country's socio-economic, political or cultural status is not just a development issue but also a human rights issue;
4. Draws attention to the fact that disabilities are becoming increasingly common as the population ages;
5. Considers that the EU should lead the way as regards the respect for and promotion of human rights; welcomes the fact that, for the first time, the EU's fulfilment of its international human rights obligations has been reviewed by a UN treaty body; considers that the UN CRPD Committee's concluding observations on the EU's implementation of the CRPD, published in 2015, represent an important sign of the EU's commitment to equality and respect for human rights and offer guidance for legislative and policy actions across the EU's sphere of competence;
6. Endorses the conclusions and recommendations of the Committee on the Rights of Persons with Disabilities and stresses the need for the EU Institutions and the Member States to incorporate the perspective of women and girls with disabilities into their policies, programmes and strategies on gender equality, and gender mainstreaming in their strategies on disability; calls, further, for mechanisms to be put in place for a regular review of the progress made;
7. Calls for Parliament, the Council and the Commission to implement fully the recommendations of the UN Committee on the Rights of Persons with Disabilities and to ensure that the Convention is honoured in all future legislation;
8. Urges the Commission and the Member States to allocate the necessary resources for the implementation of their obligations under the CRPD and the Optional Protocol thereto;
9. Strongly regrets the lack of sufficient formal consultation by the EU of organisations representing persons with disabilities in its preparations for the review process by the UN CRPD Committee in 2015 and in drafting its progress report; calls for disability organisations to contribute actively to CRPD meetings as an independent party including by taking part in official EU delegations for future reviews;
10. Calls on the Commission to consolidate and make a proposal for a genuine structured dialogue between the EU and organisations representing persons with disabilities, including appropriate funding to ensure full and equal participation by persons with disabilities and their representative organisations;
11. Emphasises the importance of systematic and close consultation between representative organisations of persons with disabilities, policymakers, business and other relevant stakeholders in relation to all new initiatives, implementation, monitoring and evaluation of policies and actions related to education, training, culture, sport and youth;
12. Calls for strengthening existing equality bodies in order to assist in mainstreaming,

promoting and monitoring the CRPD; reminds the EU and its Member States of the requirement to engage meaningfully with civil society, and in particular with organisations of persons with disabilities;

13. Calls on the EU to ratify the Optional Protocol to the CRPD;
14. Urges that a comprehensive and cross-cutting review and evaluation be carried out of existing and forthcoming EU legislation and funding programmes, including future programming periods, with a view to complying fully with the CRPD by constructively involving organisations representing persons with disabilities and the members of the EU Framework for the CRPD (hereinafter the 'EU Framework'), including the mainstreaming of disability in all legislation policies and strategies; calls on the Commission and the Member States to take the necessary measures to mainstream disability in all legislation, policies and strategies;
15. Calls for the inclusion of the rights of persons with disabilities in the EU global socio-economic agenda, in particular the Europe 2020 strategy and the European Semester; recommends the adoption of a Disability Pact to ensure that the rights of persons with disabilities are mainstreamed through EU initiatives;
16. Calls on the Commission, in the context of the European Semester, when evaluating the social situation in Member States (country reports and country-specific recommendations) to also focus on monitoring the situation of persons with disabilities as part of the EU's shared commitment to building a barrier-free Europe;
17. Believes that the EU institutions, in particular Parliament, the Council and the Commission, should move to ensure that all existing and future legislation is 'human rights proofed' and fully adheres to the CRPD;
18. Asks the Commission to provide a list of legislation with a view to proposing an update of the declaration of competence in light of the Concluding Observations, to be repeated periodically with the formal involvement of organisations representing persons with disabilities and of Parliament;
19. Calls on the Commission to consider in this regard a need to develop an EU framework which would guarantee the effective implementation of the rights of persons with disabilities, the promotion of their personal autonomy, accessibility, access to employment, social inclusion and independent life, and the eradication of all forms of discrimination;
20. Shares the concerns of the UN CRPD Committee in relation to the European Union's lack of a clear strategy for implementing the UN Convention on the Rights of Persons with Disabilities;
21. Calls on the institutions to take exemplary action in integration policy;
22. Calls on the Commission to use the review of the European Disability Strategy to develop a comprehensive gender-inclusive EU CRPD strategy, including external action commitments with a clear implementation timeframe, and specific and precise benchmarks and indicators;

23. Deplores the discrimination and exclusion that persons with disabilities still face today; calls on the Commission to maximise synergies between the EU Disability Strategy 2010-2020 and the provisions of the UN Convention on the Elimination of all Forms of Discrimination Against Women and the UN Convention on the Rights of the Child in order to ensure that recognised rights are substantially enjoyed and effectively exercised, including by harmonising and implementing the legislative framework and through cultural and political action;
24. Invites the Commission to provide clarification as to the broad definition of disability at EU level;
25. Calls on the Commission to revise the Guide to Social Considerations in Public Procurement in order to highlight the social obligations, but also to point out the opportunities and benefits of investing in high-quality support services for persons with disabilities;
26. Calls on the Commission to review the impact assessment guidelines and to modify them in order to include a more comprehensive list of issues to better assess compliance with the Convention;

Specific rights

27. Calls on the Member States and the Commission, with a view to preventing victimisation, to take steps to combat all forms of discrimination, including multiple discrimination, discrimination by association and intersectional discrimination based on disability, with special regard to women and children with disabilities, older persons and individuals who have complex support needs, including those with intellectual and psychosocial disabilities and those whose disabilities change over time;
28. Regrets the fact that the Council has still not adopted the 2008 proposal for a directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation; reiterates its call on the Council to do so as soon as possible;
29. Calls on the EU institutions and the Member States to mainstream the rights of women and children with disabilities, including in the next Agenda on the Rights of the Child, and to ensure that boys and girls and their representative organisations are consulted on all matters affecting them, with the provision of appropriate assistance according to their disability and age;
30. Emphasises that, if the rights of children with disabilities are to be protected, proper support for their families must be guaranteed by strengthening and building on the legislative instruments available to the EU, such as the instrument providing for extended parental leave for parents of children with disabilities;
31. Calls on the Commission to ensure that all persons with disabilities can enjoy the right to free movement held by all EU citizens by including in current and future legislation the guarantee of equal opportunities, fundamental rights, equal access to services and the employment market, and the same rights and obligations in accessing social security as nationals of the Member State in which they are covered, in line with the principle of

equal treatment and non-discrimination; calls, furthermore, on the Member States, in terms of equality in employment, to comply fully with the provisions of the EU Gender Equality Recast Directive (2006/54/EC);

32. Highlights the need to support disabled migrant women and girls in order to develop skills that would give them opportunities to obtain suitable employment;
33. Stresses that in order to achieve autonomous and independent living for persons with disabilities, especially women, (personal or public) assistance is a means that would support them and their families, enabling them to access workplace, educational and vocational training institutions, and supporting them in the event of pregnancy and motherhood;
34. Reiterates the urgent need to address the issue of violence against women and girls with disabilities in private and institutional environments, and calls on the Member States to provide support services that are accessible to women and girls with all types of disabilities; advises the EU to become a party to the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention) as a further step in combating violence against women and girls with disabilities;
35. Recalls the importance of the fundamental right to participation by persons with disabilities in policy processes and decision-making on disability at all levels, as underlined by the CRPD; emphasises that women and girls with disabilities, including those from marginalised and vulnerable groups facing multiple discrimination, must be enabled and empowered to participate in decision-making processes in order to ensure that their interests and rights are expressed, supported and protected, ensuring a genuine grassroots gender perspective; calls on the Member States to provide adequately adapted services and facilities that would empower their active involvement and participation, and to invest in assistive and adaptive technologies and e-inclusion;
36. Calls for the EU institutions to take effective measures to strengthen the lives of women with disabilities in accordance with the recommendations of the UN CRPD Committee as regards the review of the EU's implementation of the CRPD;
37. Is concerned that bringing up children with disabilities is a task that falls primarily to women;
38. Calls on the Commission and the Member States to continue to raise awareness about the CRPD and to combat prejudice and promote a better understanding of all persons with disabilities so that decisions are taken on the basis of their real needs;
39. Supports initiatives aimed at making society aware of the difficulties experienced by persons with disabilities and at making persons with disabilities more aware of their potential and the contributions they can make, among other things, through specific educational programmes in schools; stresses that the importance of the CRPD fundamentally lies in bringing about a change in cultural attitudes by recognising that obstacles in social and economic environments are what disable people rather than the disability in the person;

40. Asks the relevant authorities in the Member States to prepare awareness-raising strategies on the rights of persons with disabilities, to facilitate training for transport and tourism staff in awareness and disability equality, and to encourage collaboration and the exchange of good practice among European organisations working in the disability field and public and private bodies responsible for transport; urges that training materials also be made available in accessible formats;
41. Stresses that airline staff must be given rigorous training so that airlines can provide adequate services to persons with disabilities; stresses that particular attention must be paid to making sure that staff can handle wheelchairs without damaging them;
42. Welcomes the proposal for a European Accessibility Act¹ and is committed to its swift adoption with a view to ensuring the accessibility of goods and services, including the buildings in which those services are provided, together with effective and accessible national enforcement and complaint mechanisms; recalls the need for a comprehensive approach to accessibility and for measures to guarantee that those with any type of disability enjoy this right in accordance with Article 9 of the CRPD;
43. Stresses the need to adopt the European Accessibility Act, which is instrumental in addressing all the issues related to PRM accessibility in the fields of transport, mobility and tourism, and ensuring that air, bus, rail and waterborne passenger transport services, especially as regards interchanges and step-free access on all public underground trains and railways, websites, mobile device-based services, smart ticketing and real-time information, and self-service terminals, ticketing machines and check-in machines used for the provision of passenger transport services are fully accessible for persons with disabilities;
44. Recognises that small and medium-sized businesses will benefit from complying with standard EU requirements, rather than having to adjust to divergent national rules; regrets, however, that tourism products and tourist services of a cross-border nature are not covered by the proposal for the European Accessibility Act; underlines the fact that no further actions have been taken at EU level regarding tourism facilities and services in order to gradually harmonise accommodation classification, taking into account accessibility criteria;
45. Calls on the Commission and the Member States to do more to promote research and development, particularly in terms of the accessibility of new and innovative technologies for persons with disabilities;
46. Calls on the Commission, when preparing future legislative acts in relevant areas, for instance in the digital agenda, to take account of the fact that accessibility is equally as important in the physical environment as it is in ICT;
47. Encourages the Member States, when applying the principle of accessibility, to ensure the application of 'universal design' for existing and new construction projects, the workplace and in particular public buildings, for example school buildings financed by public funds;

¹ COM(2015)0615.

48. Calls on the Member States and the Commission to work with Parliament to deliver a clear and effective directive on the accessibility of public sector bodies' websites, with a broad scope and a robust enforcement mechanism in line with the proposed European Accessibility Act and the CRPD, ensuring that the 80 million persons with disabilities and the 150 million elderly people in the EU enjoy equal access to websites and online public services;
49. Calls on the Commission, together with the Member States, to ensure that the EU-wide 112 emergency number is fully accessible and reliable, using state-of-the-art technology at national level and when roaming, in particular for deaf and hard-of-hearing citizens, thereby preventing unnecessary deaths and injuries; highlights the need for implementing measures at national level, inter alia to ensure compatibility across Member States, including accessible national emergency points;
50. Calls on the Commission and the Member States to ensure that electronic and mobile health services, applications and devices, including the 112 emergency number, which must be easy to use anywhere in Europe, and the advanced mobile location (AML) system, are fully accessible to patients with disabilities and their respective carers, and to further exploit the potential of telemedicine to improve access and care in this context;
51. Stresses the need to increase support and specific provision for persons with disabilities in humanitarian settings, in particular children, and calls on the Commission to map investments and funding in support of persons with disabilities in emergencies, including gender- and age-disaggregated data;
52. Underlines the fact that ongoing conflicts and natural disasters are also contributing factors in the growing numbers of persons with disabilities;
53. Supports the CRPD expert recommendations for the EU to be more accessible and inclusive in order to achieve a human-rights-based approach to disability in situations of risk and emergency, including through implementation of the Sendai Framework for Disaster Risk Reduction 2015-2030; strongly urges the mainstreaming in EU migration and refugee policies of the human rights of persons with disabilities, who suffer double discrimination; stresses that these measures should provide an appropriate response to the specific needs of persons with disabilities and take into account the requirement for needs-based reasonable accommodation measures; encourages further mainstreaming of the needs of persons with disabilities in the humanitarian response provided by the Member States and the EU;
54. Calls for the EU to take the lead on the promotion of the rights of persons with disabilities in the implementation of the Sendai Framework and of the 2030 Agenda for Sustainable Development with its partner countries, regional organisations and at the global level;
55. Calls on the Commission to adopt an implementation plan in line with the Council conclusions of February 2015 on disability-inclusive disaster management and the Sendai Framework;
56. Reiterates the importance of the Council conclusions on the integration of

disability-inclusive disaster management across the EU Civil Protection Mechanism and throughout the Member States; calls for the raising of awareness among, and the provision of information to, persons with disabilities and emergency and civil protection services on disaster-risk reduction initiatives and for psychological support to be provided to persons with disabilities in the recovery phase of disasters;

57. Underlines the importance of giving special support to persons with disabilities in post-emergency situations;
58. Recognises that vulnerable members of society are further marginalised if they have a disability, and stresses that the EU institutions and the Member States should redouble their efforts to accommodate fully the provision of rights and services for all persons with disabilities, including stateless people, homeless people, refugees and asylum seekers and people belonging to minorities; underlines the need to mainstream disability in the EU's migration and refugee policies;
59. Asks the Commission and the Council, in accordance with Article 11 of the CRPD, when making proposals for resolving the refugee issue, for funding or for other support measures, to provide for special care for persons with disabilities;
60. Stresses that the EU should take appropriate measures to ensure that all persons with disabilities who have been deprived of their legal capacity can exercise all the rights enshrined in the EU Treaties and in EU legislation, including access to justice, to goods and services, and to banking, employment and healthcare, as well as voting and consumer rights;
61. Acknowledges that the CRPD has proved to be a positive and key instrument for promoting law reform and requiring Member States to re-examine how persons with disabilities are perceived; regrets, however, the difficult challenges still faced by persons with disabilities in strategic areas such as criminal justice and political participation; considers full and complete access to the political system for all persons with disabilities to be a priority; recognises that this access must be more than mere physical access to cast a vote, and should include a wide range of initiatives to open up the democratic process to all citizens; takes the view that this should include signed, Braille and easy-to-read election material, complete provision of the necessary assistance to persons with disabilities during voting procedures, the promotion of postal and proxy voting when possible, and the removal of barriers to those citizens with disabilities wishing to stand for election, as well as action to address existing rules regarding legal capacity and their impact on the ability of individuals to participate fully in the democratic process; calls on the Commission and the Member States to ensure that the provisions of Article 3(2) of Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime and of Directives 2010/64/EU on the right to interpretation and translation in criminal proceedings and 2012/13/EU on the right to information in criminal proceedings, and in particular of Directive 2013/48/EU on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty, are properly and fully implemented, especially in the case of persons with disabilities;

62. Strongly deplores the fact that many states continue to deny or restrict through court action the legal capacity of persons with intellectual difficulties; calls on the Member States to engage positively with the legal capacity issue by leaning towards supportive inclusion rather than automatic exclusion;
63. Is concerned about the difficulties that persons with disabilities still face in accessing justice; recalls that the right to access to justice is a core fundamental right and an essential component of the rule of law; calls on the Member States to take action in order to provide full procedural accommodation and to adjust procedures for such persons; considers that the Commission should consider including specific training programmes on the CRPD in the 2014-2020 EU Justice Programme; suggests that EU courts should apply their internal rules and instructions in a way that facilitates access to justice for persons with disabilities, and that the General Recommendations of the UN CRPD Committee should also be taken into account in the administration of justice;
64. Recognises the multiple ways in which the Hague Convention on the International Protection of Adults can functionally assist in implementing and supporting the international obligations of the parties to the CRPD; regrets, in this connection, the Commission's failure to follow up Parliament's resolution of 18 December 2008 with recommendations to the Commission on cross-border implications of the legal protection of adults;
65. Underlines the violence, intimidation and sexual abuse at school, at home or in institutions, to which children with disabilities are more vulnerable; calls for the EU and its Member States to act with greater effectiveness and to combat violence against children with disabilities by means of specific measures and accessible support services;
66. Calls on the Commission to adopt effective measures to prevent violence against children with disabilities which target families, communities, professionals and institutions; notes that schools play a crucial role in promoting social inclusion and stresses the need for proper mechanisms that enable inclusion in mainstream schools and ensure that educators and teachers are properly prepared and trained to recognise and react to violence against children with disabilities;
67. Calls, furthermore, on the Member States to ensure that involuntary treatment and confinement are not permitted by law, in accordance with the latest international standards;
68. Urges that the principle of freedom of movement for persons with disabilities within the EU be guaranteed by removing all the remaining barriers to the exercise of that freedom;
69. Stresses that the freedom of movement for European citizens must be guaranteed for persons with disabilities, to which end the Member States must ensure mutual recognition of their situation and social rights (Article 18 of the CRPD);
70. Regrets that the Council did not accept the inclusion of documents relating to disability within the scope of the Regulation on promoting the free movement of citizens and businesses by simplifying the acceptance of certain public documents in the EU;

71. Welcomes the European Disability Card Pilot Project; regrets the limited participation of Member States in the European Disability Card project, which, through practical measures, facilitates mobility and mutual recognition of the rights of citizens with disabilities in the Member States;
72. Emphasises that, if the rights of persons with disabilities are to be safeguarded in full, it is essential that such persons be guaranteed the right to choose how they want to live and how they want to maximise their potential, for example by making greater use of arrangements such as caregivers;
73. Deplores wholeheartedly the disastrous conditions in which persons with disabilities have been found to be placed in some Member States, and calls on the Member States to do everything possible to comply with the European Convention on Human Rights and Article 3 thereof, which bans inhuman and degrading treatment;
74. Urges the Commission and the Council to look after the needs of persons with disabilities better, and to take such needs consistently into account when reviewing EU regulations, such as those on passenger rights in different modes of transport (Regulations (EC) No 1107/2006 and (EC) No 261/2004 on air transport, Regulation (EC) No 1371/2007 on rail transport, Regulation (EU) No 1177/2010 on waterborne transport and Regulation (EU) No 181/2011 on bus and coach transport), and when drawing up legislation, for example on passenger rights in the context of multimodal journeys; stresses that the EU committed itself to a barrier-free Europe in 2010 in the European Disability Strategy 2010-2020;
75. Calls for the EU to strengthen monitoring of the implementation of legislation on passenger rights and to harmonise the work of the national enforcement bodies, and calls on the Member States to take all necessary steps towards the implementation of EU legislation aimed at improving transport accessibility at local, regional and state level for transport and tourism purposes (including buses and taxis, urban public transport, and rail, air and waterborne transport, and also including stations, airports and ports) and to tackle the obstacles to a barrier-free Europe, for example by strengthening the competences of the relevant enforcement bodies under passenger rights legislation in order to ensure effective and equal rights for all passengers with disabilities across the EU, including with regard to accessibility and standardisation, harmonisation, technical requirements, incentives for businesses, trade union policy and collective agreements;
76. Calls on the Commission to clarify the responsibilities of each of the actors involved in providing care for PRM, with particular regard to transfers between different modes of transport, and to provide Parliament with information on the participation of associations for persons with disabilities and their role in the implementation of passenger rights regulations;
77. Emphasises that barrier-free accessibility to transport services, vehicles, infrastructure and intermodal connecting hubs, in particular in rural areas, is the key to securing mobility systems free from built-in discrimination; stresses, in this connection, that persons with disabilities must have access to products and services and that further effort has to be made to make transport and tourism services, vehicles and infrastructure accessible; points out that the Connecting Europe Facility offers the possibility of

financing measures in urban areas and measures to improve accessibility for persons with some type of disability, which may amount to up to 10 % of adaptation costs;

78. Calls on the Commission, in its annual report on the implementation of TEN-T funds, to publish the progress made on measures and the amount of aid granted for adapting infrastructure to persons with disabilities under the Connecting Europe Facility and other types of EU funding; calls likewise on the Commission to take action to promote greater involvement in projects geared to adapting infrastructure to persons with disabilities, including, among other things, information and dissemination sessions for potential developers;
79. Highlights, in this connection, the importance of financing measures in urban areas, where people have to switch between different modes of transport more frequently and where people with some type of mobility dysfunction encounter the most difficulties;
80. Underlines the fact that consistently accessible formats should top the agenda in respect of digitised mobility market policies, and should facilitate access for all persons with all types of disabilities by using accessible languages, formats and technologies appropriate to different kinds of disabilities, including sign languages, Braille, augmentative and alternative communication systems and other accessible means, modes and formats of communication of the person's choice, including easy-to-read language or pictograms, subtitling and personal text messages, for travel information, booking and ticketing, allowing use of more than one sensory channel; urges the Commission, with regard to transport facilities and services, to establish the appropriate monitoring and control mechanisms to ensure that accessibility and assistive devices for persons with disabilities are also offered in public transport services in all Member States;
81. Emphasises that persons with disabilities should be able to obtain information about multimodal, cross-border services which provide door-to-door transport in such a way that they can choose between the most sustainable, the cheapest or the quickest service, and to book and pay for such services online;
82. Calls for real-time travel information to be made available so that, before they set out on a journey, persons with disabilities can obtain information about disruptions or alternative travel arrangements;
83. Stresses that persons with disabilities need to have access to information and communication in accessible formats and technologies appropriate to different kinds of disabilities, including sign languages, Braille, augmentative and alternative communication and other accessible means, modes, formats of communication of their choice, including easy-to-read formats and subtitling; calls, therefore, on the Commission to take the necessary measures to enforce the implementation of EU legislation on access to information and communication; urges the Council to adopt without further delay the Decision on the conclusion of the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or otherwise Print Disabled; calls on the Council and the Member States to implement consistent and effective measures in line with its provisions;
84. Recalls that independence, integration and access to an inclusive education and training system, civic and cultural life, leisure and sport are rights guaranteed by Articles 19, 24

and 30 of the CRPD; recalls that these rights are protected under EU law, in particular Article 21 of the Charter of Fundamental Rights, which prohibits discrimination on the grounds of disability and on the basis of the principle of full and effective participation, including democratic participation and inclusion in society of persons with disabilities (Article 3 of the CRPD); asks the Commission and the Member States, therefore, to reinforce measures aimed at ensuring that persons with disabilities have effective and equal access not only to key areas such as inclusive, quality education, culture and sport, but also to extracurricular activities, such as theatre, languages and arts; asks the Commission to include disability-specific indicators in the Europe 2020 strategy when pursuing the education and training targets;

85. Recalls the draft General Comment by the UN CRDP Committee on Article 24 ('the Right to Inclusive Education'), which details its normative content, the obligations of states, its relationship to the other provisions of the convention, and its implementation at the national level;
86. Recalls that programmes targeted at young people should take a special interest in young persons with disabilities;
87. Notes that post-2018 youth strategies should mainstream the needs of young persons with disabilities;
88. Recalls that persons with disabilities are often excluded from, or do not have effective access to, education and training services, where tailored education processes that take into account their level of disability are needed to help them reach their full social, economic and educative potential; stresses that the necessary measures should be taken to ensure that all students with disabilities receive the reasonable accommodation needed to enjoy their right to inclusive, quality education; encourages the Member States and responsible devolved regional and local governments to strengthen training programmes and continuous professional development opportunities for all relevant stakeholders involved in non-formal and informal learning settings, as well as their access to ICT infrastructures in order to support their work with learners with disabilities and to combat prejudice against persons with disabilities, especially persons with psychosocial and intellectual disabilities;
89. Calls on the Commission and the Member States to adopt effective measures to tackle the segregation and rejection of students with disabilities in schools and learning environments and to give them access to reasonable accommodation and the support they need, so as to facilitate the learner in attaining his or her full potential; highlights the fact that equal opportunities can only be achieved if the right to inclusive education and training is granted at all levels and types of education and training, including lifelong learning, and therefore if the recognition of qualifications for persons with disabilities is guaranteed, in particular those acquired thanks to supportive learning environments where persons with disabilities can specifically learn competences and skills that enable them to overcome their disabilities; points out the technical and financial shortcomings of special education programmes, particularly in the Member States affected by the crisis, and calls on the Commission to examine how matters can be improved;
90. Notes the progress that has been achieved in the regulation of student exchange

programmes, in particular the Erasmus+ programme, by including supplementary financial support for the mobility of students and staff with disabilities, and insists that it is necessary to continue to make specific provision throughout all aspects of the programme; acknowledges that in practice disabled students still face numerous barriers (in terms of attitudes, communication, architecture, information, etc.); calls on the Commission and the Member States to increase their commitment in favour of the participation of persons with disabilities in the EU exchange programmes and to improve the visibility and transparency of mobility opportunities; calls, furthermore, on the Commission to promote the exchange of best practices regarding access to exchange programmes for students and teachers with disabilities;

91. Calls for education systems to refrain from creating environments that give learners labels, such as banding and streaming, as this negatively affects students with disabilities, especially those with learning difficulties;
92. Urges the Commission to include a disability-specific component in its evaluation of the Cross-Border Healthcare Directive, and urges the Member States to further the implementation of that directive, including from the perspective of the needs of persons with disabilities and their right to know, and avail effectively, on an equal basis with others, of the directive's provisions and instruments, awareness of which is low even among the general population;
93. Highlights the strong correlation between disability, which affects over 15 % of the EU's population, and ill-health, with difficulties and persistent barriers in access leading to the inadequate or unmet provision of healthcare services to persons with disabilities, including when the disability results from a drug adverse reaction; notes that the lack of access to quality health services has a negative effect on the ability of those with disabilities to live independently, inclusively and on an equal basis with others;
94. Notes with concern that persons with disabilities report significantly higher rates of inadequate provision or denial of care, and instances of forced or ill-treatment, pointing to the lack of training of healthcare professionals on the healthcare needs of persons with disabilities; calls on the Member States to invest in the training of professionals who treat and assist persons with disabilities;
95. Stresses that the informed consent of persons with disabilities must be sought for all medical interventions requiring it, and that all necessary measures must therefore be in place to ensure that these persons can access and understand the relevant information; stresses that their consent must be given personally, in advance and in full knowledge of the facts, with all necessary mechanisms to ensure that these principles are complied with, and that similar, appropriate measures must also be taken in regard to persons with psychosocial disabilities;
96. Calls on the Commission to integrate disability-oriented approaches into its health instruments and policies so as to contribute to improved health outcomes for persons with disabilities in the Member States, through better physical, environmental and sensory accessibility, quality and affordability, and, while instruments and policies are being developed along these lines, to hold thorough consultations with persons with disabilities;

97. Reiterates that reproductive rights are among the fundamental freedoms guaranteed under the 1993 Vienna Declaration and Programme of Action and the CRPD, including: the right to equality and non-discrimination, the right to marry and found a family; the right to comprehensive reproductive healthcare, including family planning and maternal health services, education, and information; the right to give informed consent to all medical procedures, including sterilisation and abortion; and the right to be free from sexual abuse and exploitation;
98. Calls on the Member States to adopt measures to ensure that all healthcare and services provided to women with disabilities, including all reproductive health and mental healthcare and services, are accessible and based on the free and informed consent of the individual concerned;
99. Urges the Member States to adopt guidelines to ensure that all education, information, healthcare and services relating to sexual and reproductive health are made available to women and girls with disabilities in accessible and age-appropriate formats, including sign languages, Braille, tactile communication, large print and other alternative modes, means and formats of communication;
100. Reconfirms its view that the need to provide specialised support, including childcare assistance, to women and men with disabilities, together with their families, must be addressed in order to enable them to enjoy motherhood and fatherhood to the full;
101. Stresses that health insurance schemes must not discriminate against persons with disabilities;
102. Urges the Commission to develop EU-wide guidance for the National Contact Points on the provision of accessible information to all patients about care in other Member States, bearing in mind the particular role of patient organisations;
103. Encourages the Commission to assist the Member States and members of the European Reference Networks in extending the network's resources and expertise to forms of disability which, though not necessarily rare, also require highly specialised healthcare provided by multidisciplinary healthcare teams and a concentration of knowledge and resources through this framework;
104. Maintains that products and services must be made more accessible to persons with disabilities; points out that economic and cost-benefit barriers are preventing accessibility from being developed and implemented; believes that greater involvement of persons with disabilities when health-related products and services are being developed will make for greater safety and accessibility;
105. Underlines the fact that persons with physical disabilities also face problems on the digitised mobility market, and calls for the facilitation of access for all persons with all types of disabilities in accessible languages, formats and technologies appropriate to different kinds of disabilities, including sign languages, Braille, augmentative and alternative communication systems and other accessible means, modes and formats of communication of their choice, including easy-to-read language, subtitling and personal text messages, in particular for health information, while making use of more than one sensory channel;

106. Encourages the Commission to make sustained efforts to boost health prevention and promotion in order to address the serious disparities in health and access which affect the most vulnerable persons with disabilities;
107. Calls on the Commission and the Member States to advocate the classification of memory-disabling disease as a disability;
108. Urges the Commission and the Member States to give proper acknowledgment to the key role of family caregivers and to ensure that they also have appropriate access to health services in view of the impact that caring for persons with disabilities has on their own physical and mental health and well-being;
109. Calls on the Member States and the Commission to ensure that employment-related rights and services, including reasonable accommodation in the context of the Employment Equality Directive, are portable and in line with the freedom of movement for persons with disabilities as outlined in the Treaties; calls on the Member States to introduce incentives for employers and active labour market policies to support the employment of persons with disabilities; acknowledges the potential of both the social economy and the emerging digital economy for providing employment to persons with disabilities;
110. Is worried by the high rates of unemployment among persons with disabilities, especially among women with disabilities, by comparison with other population groups in the European Union; calls on the Member States to foster and ensure a legislative and policy framework for participation of women with disabilities in the labour market, including those with hidden disabilities, chronic conditions or learning disabilities;
111. Is concerned that the Employment Equality Directive does not explicitly make the denial of reasonable accommodation for persons with disabilities a form of discrimination; asks the Commission to provide a state of play on the kinds of complaints received and to consider in this regard whether a revision of the Directive is necessary;
112. Highlights the benefits of going beyond the framework of employment in sheltered workshops and establishing employment conditions for persons with disabilities which include them in the open labour market; stresses the importance of the sharing of good practices between public authorities, organisations representing persons with disabilities, support service providers, experienced employers and other relevant actors;
113. Calls on the Commission and the Member States to further promote the employment of persons with disabilities via social and solidarity-based economy enterprises, and thus to help persons with disabilities enter the labour market; calls on the Commission in this regard to further promote the newly emerged social investment market via the tools that have been created as part of the Social Business Initiative and to inform Parliament of its mid-term review results;
114. Points out that, in order to prevent persons with disabilities from being made redundant, it is vital to allow them to perform their work in accordance with specific legislation; recommends, moreover, that proper checks be implemented, in addition to cooperation with job centres and companies, in order to prevent persons with disabilities from being

marginalised from the labour market and in order to harness their full potential;

115. Urges the Member States to adopt quality frameworks for traineeships, and to encourage and develop opportunities for apprenticeships and training for persons with disabilities, while ensuring reasonable accommodation and accessibility to ensure social protection and facilitate the integration of persons with disabilities into the labour market;
116. Calls on the Member States to take urgent measures to prevent and reverse the negative effects that the austerity measures have had on the social protection of persons with disabilities; calls on the Commission to consider, in this regard, setting a social protection floor in the EU at the level which would allow the right to adequate standard of living and social protection of persons with disabilities to be respected;
117. Calls on the Member States to implement effective mechanisms in order to prevent or alleviate poverty, vulnerability and social exclusion among persons with disabilities and their families, with special regard to children and older persons with disabilities, in the context of a European Pillar of Social Rights;
118. Urges the Commission to allow Member States which are following fiscal adjustment programmes to exempt persons with disabilities from the austerity measures, in particular as regards the health sector;
119. Calls on the Member States to refrain from cuts to disability-related benefits, community-based services, health services, training and education programmes that will undermine the CRPD and further increase the level of poverty and social exclusion;
120. Urges the Commission and the Member States, once again for the purpose of combating the social exclusion of persons with disabilities and their families, to promote, on the basis of common rules, measures to combat the poverty faced by many families of disadvantaged individuals, with reference to clear indicators on which to base the necessary care;
121. Underlines that Article 7 and Article 96(7) of the Common Provisions Regulation (CPR)¹ require the Member States and the Commission to ensure that equal opportunities, non-discrimination and inclusion of persons with disabilities are taken into account and promoted in the implementation of the European Structural and Investment Funds (ESI Funds) in general and in the Operational Programmes in particular; calls for an integrated approach to address the specific needs of persons with disabilities; calls on the Commission therefore to monitor closely the application of the general ex-ante conditionalities on anti-discrimination and disability; stresses that their evaluation should appraise the adequacy of planned measures to promote equal opportunities between men and women and the integration of persons with disabilities, in particular as regards accessibility of funding;
122. Urges policy makers at local, regional, national and EU level to ensure efficient monitoring of the implementation of the provisions aimed at non-discrimination, as well as the accessibility and use of ESI funding to support equal access to all services,

¹ OJ L 347, 20.12.2013, p. 320.

including the internet, for persons with disabilities and equal and sufficient living arrangements in local communities in all areas (e.g. rural and sparsely populated areas and urban areas), as well as to institutions taking care of them; notes nevertheless that social policies and their financing primarily remain the responsibility of the Member States;

123. Calls on the Commission to monitor closely whether the principle of non-discrimination and the related legislation is respected when ESI Funds are used; underlines that bodies responsible for promoting social inclusion and non-discrimination, including organisations representing persons with disabilities, need to be involved in the partnership during the programming and implementation phase of the Operational Programmes, to ensure that the interests and concerns of persons with disabilities are effectively taken into account; urges the use of ESI Funds to respect minimum standards regarding accessibility, mobility and housing for persons with disabilities, and notes that this entails an important and challenging task, especially for the local and regional authorities;
124. Calls on the Member States to make better use of structural funds, in particular the European Social Fund and the Creative Europe Programme, involving as much as possible national, regional and local organisations representing persons with disabilities; stresses moreover the importance of guaranteeing full accessibility for persons with disabilities to the labour market, education and training, Erasmus+, the Youth Guarantee and EURES initiatives;
125. Calls on the Member States to disseminate the principle under which ESIF contracting authorities may exclude applicants for failing to meet the commitment to accessibility for persons with disabilities;
126. Welcomes the ex-ante conditionalities on social inclusion and its investment priority on the 'transition from institutional to community based services' in Regulation (EU) No 1303/2013 on the European Structural and Investment Funds (ESI Funds); calls on the Member States to use the funds for the purpose of deinstitutionalisation and as a tool for implementing the CRPD;
127. Is concerned that the European Structural and Investment Funds are being misused to foster institutionalisation, and calls on the Member States and the Commission to strengthen their monitoring in line with the CRPD and in consultation with organisations representing persons with disabilities; recommends suspending, withdrawing and recovering payments from Member States if the obligation to respect fundamental rights is breached; believes that transparency principles should govern the entire procedure from the allocation of funds to their actual use;
128. Calls on the Commission and the Member States to take the necessary measures, including through the use of ESI Funds and other relevant EU funds, to develop high-quality and affordable support services in local communities for boys and girls with disabilities and their families, including persons in need of high-level support, to foster deinstitutionalisation and prevent new institutionalisation, and to promote inclusive communities and access to inclusive quality education for boys and girls with disabilities;

129. Believes that the EU institutions should consider opening future and existing funding streams to organisations actively representing persons with disabilities;
130. Calls on the Commission to continue working towards the inclusion of persons with disabilities through the provision of financial support for a range of grassroots projects and organisations;
131. Calls for the EU institutions and the Member States to give persons with disabilities an active role in decision-making processes, including through their representative organisations, in accordance with Article 4(3) of the CPRD; urges, further, that due account should be taken of the views expressed by persons with disabilities in the course of such processes;
132. Reiterates the importance of exceptions and limitations to copyright and related rights being available to persons with disabilities; notes the conclusion of the Marrakesh Treaty aimed at facilitating access to works published by the blind or visually impaired, and reiterates its conviction that the EU is competent to conclude this treaty without ratification being conditional upon revision of the EU legal framework or the timing of a ruling by the Court of Justice; stresses also in this respect the need for Parliament, the Commission and the Member States to work together to ensure swift ratification of the Marrakesh Treaty;
133. Emphasises that any legislative change in the field of copyright and related rights should provide persons with disabilities access to works and services protected by those rights in any format; recalls that the Commission is due to submit legislative proposals on exceptions and limitations to copyright and related rights in order to ensure that persons with different disabilities have access to works and services protected by those rights;
134. Insists on the importance of digital systems for persons with disabilities as a tool for facilitating their participation in all aspects of society, and recommends continuing to investigate the use of ambient-assisted technologies in education; recognises that a disproportionate number of persons with disabilities are not currently online, and that they are left out of digital developments and, as a result, are missing out on information, opportunities, learning new skills and accessing important services; calls therefore on the legislators at national and EU level to include accessibility provisions when implementing digital single market legislation, to mainstream the issue of digital content accessibility in all relevant policies, to initiate training programmes for ‘Digital Champions’ within communities to encourage more persons with disabilities to go online, and to take the necessary measures to fight cybercrime and cyberbullying; calls on the Commission and the Member States to ensure that intellectual property rights do not pose an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials and to consider a mandatory exception to copyright in cases of use, for the benefit of persons with disabilities, which are directly related to the disability and of a non-commercial nature, to the extent required by the specific disability; calls for a cross-cutting approach to the human rights of persons with disabilities to be applied in all EU policies;
135. Recalls that sport is an extremely valuable tool in the context of social inclusion as it provides opportunities for interaction and the attainment of social skills; calls on the

Commission and the Member States, pursuant to Article 30 of the UN Convention on the Rights of Persons with Disabilities, to launch specific programmes aimed at making sports activities and sports events more accessible for persons with disabilities; notes that the right to have full access to cultural performances or recreational activities are basic rights, and calls therefore on the Commission to improve the accessibility to such events, venues, goods and services, including in the audiovisual field; welcomes the initiatives to provide audiovisual and other works with suitable subtitles or audio description so as to make them accessible to persons with disabilities;

136. Is of the opinion that for persons with disabilities digital instruments should be developed to help the integration of sportsmen and sportswomen with disabilities, as well as platforms for teleworking, hot-desking and co-working; believes in addition that quality teaching and sports infrastructure in schools should be adapted to the needs of children with disabilities and that in each Member State a national and regional strategic policy framework should be in place for lifelong learning, containing concrete measures for the development of skills for persons with disabilities;
137. Recalls that the MEDIA sub-programme of Creative Europe should pay special attention to projects including the issue of disabilities, and that the educational power of films and festivals in this regard should be emphasised;
138. Maintains that accessibility is essential if persons with disabilities are to take full advantage of the European tourism offering;
139. Emphasises that tourism services must take into account the special needs of persons with disabilities such as easy access to information and communication and to facilities such as rooms, bathrooms, toilets and other indoor areas;
140. Maintains that the ‘tourism for all’ principle should be the reference point for any tourism-related action at national, regional, local or European level; points out that tourism service providers should allow for the needs of persons with disabilities by promoting the adaptation of facilities and staff training activities;

Specific obligations

141. Calls for the development of human-rights-based indicators, and calls on the Member States to provide quantitative and qualitative comparable data disaggregated on the basis of various factors, including by gender, age, employment status and disability, for all activities in the EU; calls on the Commission to fund relevant research and data collection, for example on accessibility of tourism and healthcare services, violence, abuse and exploitation of all persons with all types of disabilities in the community and in the institutions;
142. Calls on the Commission to harmonise data collection on disability through EU social surveys in line with Article 31 of the CRPD, in order to accurately identify and publicise developments in the sector; emphasises that such data collection should use methodologies that are inclusive of all persons with disabilities, including those with more severe impairments and those living in institutions; all data collected should be subject to the rigours of human rights and data protection initiatives, including, but not limited to, provisions set out in the European Convention on Human Rights, the

European Charter of Fundamental Rights and the European Data Protection Directive; stresses that such surveys must be as specific and as targeted as possible and should be followed by appropriate studies and workshops which result in suitable and effective forms of action;

143. Calls on the Commission to systematically mainstream the rights of persons with disabilities in all EU international cooperation policies and programmes;
144. Underlines the importance of achieving all disability-related Sustainable Development Goals (SDGs), in particular Goal 4 on ensuring inclusive, equitable quality education and the need to increase the number of schools with access to adapted infrastructure and materials for students with disabilities and to invest in teacher competencies for inclusive education and participation of children in school and the community;
145. Highlights the pledge to leave no one behind and the references to disabilities in the SDGs, specifically in the sections related to education, growth and employment, inequality and the accessibility of human settlements, and as regards data collection and monitoring of the SDGs, and recommends that the EU take the lead in the implementation of the disability-inclusive SDGs; underlines in addition the references to the Sendai Framework for Disaster Risk Reduction (DRR);
146. Recommends that the EU take the lead on a disability-inclusive implementation of the 2030 Agenda for Sustainable Development and establish a work plan and a mid-term review of the work plan in order to guarantee a monitoring and evaluation mechanism and ensure EU accountability;
147. Invites the Commission to draft an implementation plan for the SDGs and DRR in line with the CRPD; underlines that such a plan should make an important contribution to the definition of indicators in areas related to disability and socio-economic inclusion; stresses that poverty, social protection, health coverage, violence against women, sexual and reproductive health and rights, access to water, sanitation and energy, resilience to disasters and birth registration deserve particular attention in the definition of the SDG indicators;
148. Stresses the fact that all EU policies and programmes, both externally and internally, must comply with the CRPD and establish specific measures which guarantee that the rights of persons with disabilities are mainstreamed in all domains, including humanitarian and development policies and programmes; calls on the EU, to this end, to adopt a harmonised policy on disability-inclusive development and to establish a systematic and institutionalised approach to mainstreaming the rights of persons with disabilities in all EU international cooperation policies and programmes;
149. Recommends that EU delegations and agencies display a sufficient understanding of EU disability strategies and work in an inclusive and accessible way; suggests the creation of a ‘focal point’ for the CRPD in the European External Action Service; calls for the urgent introduction of a disability perspective in all training courses on human rights provided in the framework of the Common Security and Defence Policy (CSDP) missions;
150. Calls, furthermore, on the EU to:

- put in place more development projects which focus specifically on persons with disabilities;
 - establish a mechanism to build capacity and share good practices among the various EU institutions and between the EU and its Member States on disability-inclusive and accessible humanitarian aid;
 - put in place focal points for disability issues in EU delegations, appointing trained liaison officers who can offer the benefits of their expertise and professionalism to persons with disabilities;
 - address disability issues in dialogues with partner countries and support and engage in strategic cooperation with the partner country disability NGOs;
 - review the Multiannual Financial Framework (MFF) and the European Development Fund (EDF) in the context of the CRPD;
 - include a reference to mainstreaming disability issues into EU policies in the possible new European Consensus on Development;
 - consider earmarking funds provided for all EU international cooperation policies and programmes for national programmes for persons with disabilities;
 - provide children likely to be at risk with swift, appropriate and comprehensive care, given the importance of early intervention;
151. Welcomes new Objective 12 in the Action Plan on Human Rights and Democracy 2015-2019; calls on the Commission to ensure that the implementation of the Convention on the Rights of Persons with Disabilities is systematically raised in human rights dialogues with third countries; calls on the EU Special Representative for Human Rights to lead and monitor progress in this field, with special regard to standardisation efforts in terms of accessibility;
152. Supports the effective inclusion of persons with disabilities in society, namely in local communities, and the funding of services for persons living independently through programmes under the external action financing instruments; calls for more streamlined use of the EU Structural Funds; calls for the mid-term evaluation of the external financing instruments in order to assess how effectively they have contributed to the inclusion of persons with disabilities in their societies, barriers have been dismantled, and accessibility has been promoted; demands, furthermore, that any expenditure in EU programmes that support institutionalisation avoid the segregation of persons with disabilities; calls for the strengthening and monitoring of expenditure in consultation with disability organisations;
153. Suggests that all people employed by the EU in the management of its external borders and asylum reception centres should undergo specific training relevant to the needs of persons with disabilities in order to ensure that their needs are met;
154. Welcomes the Commission's withdrawal from the independent monitoring framework (the EU Framework); is committed to finding the most appropriate setup for the EU

Framework so that it is fully in line with the CRPD and the Paris Principles, and urges that the Code of Conduct between the Council, the Member States and the Commission setting out internal arrangements for the implementation by and representation of the European Union relating to the UN Convention on the Rights of Persons with Disabilities be reviewed and amended in such a way as to involve the European Parliament as well;

155. Stresses the need for enhanced political cooperation within the framework, including the financial and human resources to ensure that it can fulfil its obligations and implement the recommendations set out in the CRPD;
156. Attaches the highest importance to Article 33 of the CRPD ('National implementation and monitoring') and to the UN CRPD Committee's Concluding Observations 76 and 77, and welcomes accordingly the approval given by the UN CRPD Committee to Parliament's presence in the EU Framework;
157. Calls on the budget authorities to allocate adequate resources to enable the EU Framework to perform its functions independently;
158. Points out that the Committee on Petitions provides active protection for European citizens (natural or legal persons) pursuant to Article 227 TFEU, enabling them to lodge a complaint against an infringement of their rights on the part of European, national and local authorities, including those derived from the application of European policies whose purpose is to implement the CRPD, in the context of the Declaration in relation to the delimitation of competences annexed to the Final Act adopting the Treaty;
159. Highlights the fact that the Committee on Petitions is recognised as one of the institutional instruments of the EU (alongside the Ombudsman, appointed to protect citizens in the event of maladministration) able to play the protection role within the EU Framework, in keeping with the principles relating to the operation of national institutions set up to protect and promote human rights ('Paris Principles'), adopted by the General Assembly of the United Nations in its 1993 resolution 48/134;
160. Points out that, in order to perform the protection role, the Committee on Petitions places its duties at the service of the independent monitoring framework as regards preliminary investigations into infringements of EU law implementing the CRPD, the forwarding of petitions to other parliamentary committees for them to investigate or take the corresponding action, and on-the-spot visits to gather information and establish contact with the national authorities;
161. Recalls that the Committee on Petitions receives a considerable number of petitions from persons with disabilities every year, demonstrating the reality of millions of people across Europe encountering difficulties on a daily basis with regard to access to work and employment, education and transport or participation in political, public and cultural life; stresses the importance of Article 29 of the CRPD on the participation without discrimination of persons with disabilities in political and public life;
162. Points out that the petitions that have received most attention have often been backed by civil society organisations representing persons with disabilities, and there is thus a need to promote and publicise the protection role and effectiveness of petitions based on

infringements of these rights; praises the role played by these organisations when it comes to promoting social inclusion and an improvement in the quality of life of persons with disabilities;

163. Takes note of petitions portraying cases of wrongdoing in some Member States when it comes to ensuring the subsistence of persons with disabilities, not only concerning the lack of payment of subsidies granted by law, but also cases such as in petition 1062/2014 where authorities allegedly made arbitrary administrative decisions in order to reduce the allowances previously granted on the basis of dubious medical assessments effectively reducing the degree of disability; asks the national, regional and local authorities concerned to be more sensitive to the implications of such actions on the lives of the individuals affected and their families, and requests that the Commission monitor thoroughly the various policies and related measures concerning disabilities that are implemented in the different Member States;
164. Notes that some Member States that have ratified the CRPD have yet to establish or designate the bodies to implement and monitor the Convention, as required under Article 33; notes that the work of those bodies already established, in particular the monitoring frameworks set up under Article 33(2), is impeded by a lack of financial and human resources and the absence of a solid legal basis for their designation;
165. Urges all Member States to allocate the monitoring frameworks established under Article 33(2) sufficient and stable financial and human resources to carry out their functions; considers that they should also guarantee the independence of monitoring frameworks by making sure that their composition and operation takes into account the Paris Principles on the functioning of national human rights institutions, as required under Article 33(2) – this would be supported by establishing a formal legal basis, clearly setting out the frameworks' role and scope; urges those Member States which have still to designate Article 33 bodies to do so as soon as possible and equip them with the resources and mandates to effectively implement and monitor their obligations under the CRPD;
166. Highlights that the CRPD network needs to be strengthened to appropriately coordinate CRPD implementation internally but also interinstitutionally, while actively involving and closely consulting with persons with disabilities and their representative organisations in its activities and meetings;
167. Urges all EU institutions, agencies and bodies to establish focal points, and stresses the need for a horizontal interinstitutional coordination mechanism across DGs and EU institutions; calls for the necessary arrangements to form part of a CRPD implementation strategy;
168. Calls for the strengthening of interinstitutional coordination between the implementation mechanisms of the different EU institutions;

EU institutions' compliance with the Convention (as public administrations)

169. Considers it important that the Committee on Petitions organise targeted events focusing on petitions in the field of disabilities, and stresses the important role of dialogue with input from multiple stakeholders, including other relevant committees of

the European Parliament, members of the EU Framework for the CRPD, civil society organisations representing persons with disabilities and academics;

170. Welcomes the fact that the public hearing ‘Protection of the rights of persons with disabilities, from the perspective of petitions received’, organised by the Committee on Petitions on 15 October 2015, met high accessibility standards, and recommends that all Parliament committee meetings be made accessible to persons with disabilities in the future;
171. Welcomes the use of Braille in communication with petitioners, and encourages all EU institutions to use sign language, easy-to-read formats and Braille in their communication with citizens in order to maintain and strengthen efforts to include citizens in the work of the institutions and the European project;
172. Calls for the Member States and the EU institutions to ensure that opportunities to take part in public consultation procedures are effectively and widely publicised by means of communications which are accessible to persons with disabilities who use languages such as Braille and easy-to-read versions;
173. Calls for the Member States and the EU institutions to ensure that opportunities to participate in consultation processes are clearly and widely publicised using accessible communications, that input can be provided in other formats such as Braille or easy-to-read versions, and that public hearings and meetings discussing proposed laws and policies should be made fully accessible to persons with disabilities, including those with intellectual and learning disabilities;
174. Underlines the need to facilitate the effective participation and freedom of expression of persons with disabilities at public events and meetings hosted by the institutions or held on their premises by providing captioning and sign-language interpretation, documents with Braille-printing and in easy-to-read formats;
175. Calls on the Board of Governors of the European Schools, including the Commission, to ensure inclusive quality education at the European Schools in accordance with CRPD requirements as regards multidisciplinary assessments, the inclusion of children with disabilities, and the provision of reasonable accommodation, while guaranteeing the inclusive participation of parents with disabilities;
176. Calls on the institutions to support and promote the work of the European Agency for Special Needs and Inclusive Education;
177. Calls for the EU to revise the rules of the Joint Sickness Insurance Scheme, the pension system and disability-related social security and social protection measures in order to ensure non-discrimination and equality of opportunities for persons with disabilities, inter alia by recognising disability-related health needs as being distinct from an illness and promoting independent living and working by full reimbursement of the additional cost of equipment or service that is necessary for work (for example a Braille printer, hearing aids, sign-language interpreter, captioning services, etc.);
178. Urges the institutions, agencies and bodies to ensure that existing staff regulations are fully and effectively implemented in line with the CRPD and that internal rules and

implementing provisions are developed in full compliance with CRPD provisions, as part of an open and disability-inclusive process, in order to address the Concluding Observations;

179. Calls for the provision of adequate needs-based and CRPD-compatible reasonable accommodation for persons with disabilities – or people with dependent family members with disabilities – who are in the service of the European institutions, paying particular attention to the needs of parents with disabilities;
180. Urges the institutions to adopt comprehensive recruitment, retention and promotion policies, including temporary positive measures, to increase actively and substantially the number of officials or staff and trainees with disabilities, including psychosocial and intellectual disabilities in line with Directive 2000/78/EC Article 5;
181. Recommends that comprehensive CRPD training modules for staff be drawn up in consultation with organisations representing persons with disabilities, focusing on frontline personnel, management and public procurement;
182. Urges the EU institutions to make their internet-based content and apps, including their intranets and all essential documents and audiovisual content, accessible while equally ensuring physical accessibility of their buildings;
183. Calls on the Commission to work closely with other EU institutions, bodies and agencies, as well as the Member States, to coordinate effective and systematic follow-up of the concluding observations, possibly via a strategy on the implementation of the CRPD;
184. Calls on the EU and the Member States to ensure consultation and the systematic and structured involvement of organisations representing persons with disabilities when implementing their respective final observations;
185. With regard to Article 35 of the CRPD, which obliges those Member States that have signed the Convention to submit an initial report and subsequent reports on their implementation of the Convention, considers that such reports should be submitted every four years and should be drawn up with the involvement of disability organisations;

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186. Instructs its President to forward this resolution to the Council and the Commission.

EXPLANATORY STATEMENT

Background

The EU acceded to the UN Convention on the Rights of Persons with Disabilities (hereinafter CRPD or “the Convention”) in December 2010, as the first Regional Integration Organization¹. This was the first international human rights treaty the EU ratified as a whole (and to date the only one); the Optional Protocol was not signed or ratified. With the ratification the EU is now subject to scrutiny by the Committee on the Rights of Persons with Disabilities (“CRPD Committee”).

Following the accession the EU, as other State Parties, was required to produce an initial report² on the status of the implementation of the Convention. Further periodic reports are due every four years. The Commission submitted its initial report in June 2014 and the CRPD Committee published its response in the form of a list of issues³ in May 2015 after the first meeting between the Committee and the EU in April in Geneva.

Later in May 2015 the EP adopted its own plenary resolution on the list of issues⁴ urging the European Commission to take the views of the Parliament into account when formulating its answer to the list of issues. The views of the Parliament were subsequently largely included.

A second meeting with the CRPD Committee in August 2015 resulted in the publication of the “Concluding observations on the initial report of the European Union”⁵. The Concluding Observations require the EU to answer the CRPD Committee regarding certain issues within one year⁶. Therefore, the EP subsequently decided to draft its own-initiative-report to ensure its opinions are included in the report that is to be submitted by the Commission by September 2016. Regular (potentially annual) reports such as this one are envisaged.

The EP was present at both meetings in Geneva as part of the EU Framework to promote, protect and monitor the implementation of the CRPD, as required by the Convention⁷. The current Framework, of which the rapporteur is one of the EP representatives, also includes the European Commission, the European Ombudsman, the Fundamental Rights Agency, and the European Disability Forum. Following the recommendation by the CRPD Committee the European Commission has publicly announced its resignation in a PETI hearing and therefore restructuring of the framework as a whole has become likely.

The CRPD has one of the highest numbers of States Parties and signatories among all human

¹ Article 44 CRPD

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

³ http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEU%2fQ%2f1&Lang=en

⁴ (2015/2684(RSP))

⁵ CRPD/C/EU/CO/1

⁶ The other issues may be addressed in the next periodic report due January 2021 (cf para. 94, CRPD/C/EU/CO/1).

⁷ Article 33(2) CRPD

rights treaties. All 28 EU Member States have signed the Convention, 25 have ratified it, excluding Finland and Ireland. At the time of writing, the Netherlands are close to acceding to the Convention.

The CRPD covers a large range of rights, spanning into all areas of life, some of which fall outside of the competence of the EU. Therefore, Member States are required to equally implement the Convention at all levels, including regional and national. While the EU originally issued a declaration of competence¹ to overcome this legal uncertainty, the CRPD Committee fast tracked the EU and concluded in its recommendations that the declaration requires regular updating.

Aim of INI report

The aim of the report is to first and foremost concentrate on the matters highlighted in the Concluding Observations. As a matter of priority the rapporteur focuses on those recommendations that fall within the EU's competence and could therefore pose implementation difficulties at national level.

The rapporteur will pay special attention to the EU institutions themselves, which are to be a role model in implementing the Convention. This includes staff regulations and recruitment and retention practices as well as public events hosted by the EP and on the EP's premises.

The rapporteur is of the opinion that there is no hierarchy of human rights and disability-based discrimination must be tackled in the same way as discrimination on other grounds, including discrimination on more than one ground. This is especially important for women and children with disabilities, older persons and individuals who have complex support needs, including those with intellectual and psychosocial disabilities.

The own-initiative report has been followed with great interest within the Parliament, with ten committees drafting opinions to it:

- LIBE (article 54, associated Committee)
- PETI (article 54, associated Committee)
- CULT
- DEVE
- TRAN
- REGI
- JURI
- FEMM
- AFET
- ENVI

General Structure

The report follows the structure of the Concluding Observations, based on the articles of the CRPD. It is therefore divided into four parts:

¹ <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1401271474087&uri=CELEX:32010D0048>, Annex II

1. General principles and obligations (arts. 1-4)
2. Specific rights (arts. 5-30)
3. Specific obligations (arts. 31-33)
4. European Union institutions' compliance with the Convention (as public administrations)

Reasonable accommodation

Reasonable accommodation is a concept that has been used throughout the report and due to its complex nature might require further explanation. An example of reasonable accommodation is the provision of a sign language interpreter in the workplace to an individual employee. This is in contrast to “accessibility”, which is a much broader concept and not necessarily an individualised measure. An example would be the provision of a sign language interpreter at a public event or a ramp in a public building to facilitate access for wheelchair users in general, and not for one particular person.

According to the CRPD (Article 2):

““Reasonable accommodation” means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms”

Article 5 of the Employment Equality Directive¹ states:

“In order to guarantee compliance with the principle of equal treatment in relation to persons with disabilities, reasonable accommodation shall be provided. This means that employers shall take appropriate measures, where needed in a particular case, to enable a person with a disability to have access to, participate in, or advance in employment, or to undergo training, unless such measures would impose a disproportionate burden on the employer. This burden shall not be disproportionate when it is sufficiently remedied by measures existing within the framework of the disability policy of the Member State concerned.”

While the CRPD makes the denial of reasonable accommodation a form of discrimination, the Employment Equality Directive fails to do so and is in that respect therefore not in line with the Convention.

Stakeholder consultation

What sets the CRPD apart from other human rights treaties is that persons with disabilities and their representative organisations were included in the process from the drafting stage onwards. This is reflected in Article 4(3) CRPD: “States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.” It is therefore in the rapporteur’s opinion crucial to include

¹ Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation

them fully in the drafting of the report.

To this effect the Disability Intergroup in partnership with the European Disability Forum organised an intergroup meeting in Strasbourg in December 2015 to collect the views of EDF and its member organisations. Their oral and written input has already contributed to the working document and the draft report. The rapporteur welcomes the participation of a large number of rapporteurs and shadow rapporteurs across all involved Committees at this meeting. The many constructive contributions at this early stage make this report unique and will ensure comprehensiveness.

The rapporteur has further met representatives from several disability organisations individually and will continue to do so to ensure all their concerns can be taken on board, either in the lead Committee or in the opinion-giving Committees.

A number of organisations have produced so-called parallel reports to the initial report of the Commission. The rapporteur intends to incorporate those texts into the INI report as well.

A hearing in cooperation with the rapporteurs in the associated Committees LIBE and PETI was organised at the end of January to gather further concrete input from relevant stakeholders, including disability organisations.

The consideration of the working document at the EMPL Committee took place in the frame of an exchange of views with stakeholders. The exchange of views included high-level speakers from relevant stakeholders, such as the European Ombudsman, the Fundamental Rights Agency, civil society as represented by the European Disability Forum and a Member of the CRPD Committee.

The rapporteur has taken every step to ensure that all meetings of the EMPL Committee where this report is discussed as well as the hearings are as accessible to persons with disabilities as possible. To this end the rapporteur has worked together with disability organisations and the EMPL Chair and secretariat to achieve unprecedented accessibility of public EP Committee meetings.

25.5.2016

OPINION OF THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS(*)

for the Committee on Employment and Social Affairs

on the implementation of the UN Convention on the Rights of Persons with Disabilities with special regard to the concluding observations of the UN CRPD Committee (2015/2258(INI))

Rapporteur (*): Martina Anderson

(*) Associated committee – Rule 54 of the Rules of Procedure

SUGGESTIONS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

- A. whereas women and girls with disabilities are exposed to several dimensions of discrimination in their everyday lives; it can take a variety of forms – physical, emotional, sexual and economic – and includes intimate partner violence, violence at the hands of caregivers, sexual violence and institutional violence;
1. Acknowledges the fact that roughly 80 million European citizens are believed to possess a disability and that these citizens should have unequivocal access to all services and rights offered by the European Union;
 2. Shares the concerns of the UN CRPD Committee in relation to the European Union's lack of a clear strategy for implementing the UN Convention on the Rights of Persons with Disabilities;
 3. Calls on the Commission to revise its Disability Strategy 2010-2020 with a view to the full implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD) and in the light of the concluding observations by the UN Committee on the Rights of Persons with Disabilities of 2 October 2015, accompanied by a timetable and precise indicators;
 4. Deplores the discrimination and exclusion that persons with disabilities still face today;

calls on the Commission to maximise synergies between the EU Disability Strategy 2010-2020 and the provision of the UN Convention on the Elimination of all Forms of Discrimination Against Women and the UN Convention on the Rights of the Child in order to ensure that recognised rights are substantially enjoyed and effectively exercised, including by harmonising and implementing the legislative framework and through cultural and political action;

5. Underlines the need to include a clear gender perspective in a new European Disability Strategy that includes the fight against violence against women and domestic violence against women and girls with disabilities;
6. Urges the Commission to develop a structured dialogue with representative organisations of persons with disabilities, to consult and cooperate with them in the review and implementation process, including formulating an answer to the list of issues to the UN CRPD Committee and in the development, implementation and monitoring of all EU policies;
7. Calls for the EU institutions to take effective measures to strengthen the lives of women with disabilities in accordance with the recommendations of the UN CRPD Committee as regards the review of the EU's implementation of the CRPD;
8. Calls for the Member States and the EU institutions to ensure that opportunities to take part in public consultation procedures are effectively and widely publicised by means of communications which are accessible to persons with disabilities who use languages such as braille and Easy Read versions;
9. Strongly deplores the fact that the Council has still not adopted the 2008 proposal for a directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation; reiterates its call on the Council to do so as soon as possible;
10. Strongly deplores, likewise, the delay in the ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled, and calls on the Commission and the Member States to bring about its swift ratification;
11. Underlines the need to ensure that discrimination in all aspects on the grounds of disability is prohibited in the European Union, including multiple and intersectional discrimination;
12. Calls on the Member States to take all appropriate steps to ensure that reasonable accommodation is provided for persons with disabilities in order to promote equality and eliminate discrimination, and in order for them to exercise, on an equal basis with others, all human rights and fundamental freedoms;
13. Calls for the EU institutions and the Member States to give persons with disabilities an active role in decision-making processes, including through their representative organisations, in accordance with Article 4(3) of the CPRD; urges, further, that due account should be taken of the views expressed by persons with disabilities in the course of such processes;

14. Calls for the Member States and institutions to ensure that opportunities to participate in consultation processes are clearly and widely publicised using accessible communications, that input can be provided in other formats such as Braille or Easy Read versions, and that public hearings and meetings discussing proposed laws and policies should be made fully accessible to persons with disabilities, including those with intellectual and learning disabilities;
15. Calls for the EU institutions to make sure that all of their external and internal communications, including documents, videos and websites, have an appropriate level of accessibility and are provided in alternative formats and means of communication, such as Braille, Easy Read versions and sign language;
16. Believes that the EU institutions, in particular Parliament, the Council and the Commission, should move to ensure that all existing and future legislation is ‘human rights proofed’ and fully adheres to the CPRD;
17. Notes that three Member States, Finland, the Netherlands and Ireland, have still not ratified the CPRD; calls on those Member States to ratify it as soon as possible;
18. Calls for the EU institutions to place a particular focus on the rights of children with disabilities and the needs of their families, assess current EU compatibility with the UN Convention on the Rights of the Child and work to remove all obstacles faced by children with disabilities in their day-to-day lives by offering their families proper support, including through the provision of grants and specific services;
19. Underlines the violence, intimidation and sexual abuse at school, at home or in institutions, to which children with disabilities are more vulnerable; calls for the EU and its Member States to act with greater effectiveness and to combat violence against children with disabilities by means of specific measures and accessible support services;
20. Emphasises that, if the rights of children with disabilities are to be protected, their families must be guaranteed proper support by strengthening and building on the legislative instruments available to the EU, such as the instrument providing for extended parental leave for parents of children with disabilities;
21. Calls for the establishment of an interinstitutional coordination mechanism for the implementation and monitoring of the CPRD, ensuring the participation of persons with disabilities, through their representative organisations, in the adoption process;
22. Acknowledges that the CRPD has proved to be a positive and key instrument for promoting law reform and requiring Member States to re-examine how persons with disabilities are perceived; regrets, however, the difficult challenges still faced by persons with disabilities in strategic areas such as criminal justice and political participation; considers full and complete access to the political system for all persons with disabilities to be a priority; recognises that this access must be more than mere physical access to cast a vote, and that it should include a wide range of initiatives to open up the democratic process to all citizens; this should include signed, braille and Easy Read election material, complete provision of necessary assistance to people with disabilities during voting procedures, promotion of postal and proxy voting when possible, and the removal of barriers to those citizens with disabilities wishing to stand for election, as well as

addressing existing rules regarding legal capacity and their impact on the ability of individuals to participate fully in the democratic process; calls on the Commission and the Member States to ensure that the provisions of Article 3(2) of Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime and of Directives 2010/64/EU on the right to interpretation and translation in criminal proceedings and 2012/13/EU on the right to information in criminal proceedings, and in particular Directive 2013/48/EU on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty, are properly and fully implemented, especially in the case of persons with disabilities;

23. Strongly deplores the fact that many states continue to deny or restrict through court action the legal capacity of persons with intellectual difficulties; calls on the Member States to engage with the legal capacity question positively by leaning towards supportive inclusion rather than automatic exclusion;
24. Calls on the Commission to harmonise data collection on disability through EU social surveys in line with Article 31 of the CRPD, in order to accurately identify and publicise developments in the sector; emphasises that such data collection should use methodologies that are inclusive of all persons with disabilities, including those with more severe impairments and those living in institutions; all data collected should be subject to the rigours of human rights and data protection initiatives, including, but not limited to, provisions set out in the European Convention on Human Rights, the European Charter of Fundamental Rights and the European Data Protection Directive; stresses that such surveys must be as specific and as targeted as possible and should be followed by appropriate studies and workshops which result in suitable and effective forms of action;
25. Deplores the lack of accessibility of the European emergency number 112, and calls on the Commission to improve the accessibility of this number for people with disabilities by using the new generation of 112 technologies;
26. Calls for strengthening existing equality bodies in order to assist in mainstreaming, promoting and monitoring the CRPD; reminds the EU and its Member States of the requirement to engage meaningfully with civil society, and in particular with organisations of people with disabilities;
27. Calls for the inclusion of the rights of persons with disabilities in the EU global socio-economic agenda, in particular the Europe 2020 strategy and the European Semester; recommends the adoption of a Disability Pact to ensure that the rights of persons with disabilities are mainstreamed through EU initiatives;
28. Believes that the EU institutions should consider opening future and existing funding streams to organisations actively representing persons with disabilities;
29. Recognises that vulnerable members of society are further marginalised if they have a disability, and stresses that the EU institutions and Member States should redouble their efforts to accommodate fully the provision of rights and services for all people with disabilities, including stateless people, homeless people, refugees and asylum seekers and people belonging to minorities; underlines the need to mainstream disability in its

migration and refugee policies;

30. Emphasises that, if the rights of persons with disabilities are to be safeguarded in full, it is essential that such persons be guaranteed the right to choose how they want to live and how they want to maximise their potential, for example by making greater use of arrangements such as caregivers;
31. Deplores wholeheartedly the disastrous conditions in which people with disabilities have been found to be placed in some Member States, and calls on the Member States to do everything possible to comply with the European Convention on Human Rights and Article 3 thereof, which bans inhuman and degrading treatment;
32. Believes that the Council should adopt the Equal Treatment Directive and extend its remit beyond the field of employment;
33. Suggests that all people employed by the EU in the management of its external borders and asylum reception centres should undergo specific training relevant to the needs of disabled persons in order to ensure that their needs are met;
34. Calls for the EU institutions to organise and support information campaigns both on the rights of persons with disabilities and on their diversity, skills and talents;
35. Deplores the fact that persons with disabilities still encounter obstacles to their access to goods and services; considers that these obstacles limit their participation in society and constitute a breach of their rights as citizens; is glad of the support given by Parliament to the Accessibility Act in November 2015, but acknowledges that an Accessibility Act is not a panacea; calls for its adoption and full implementation as soon as possible;
36. Urges that, with a view to guaranteeing social inclusion for persons with disabilities, it is essential to do away with all the barriers and obstacles which still hamper their integration into education systems, at the workplace, into public life and into the communities to which they belong;
37. Urges that, with a view to guaranteeing proper social integration for persons with disabilities, incentives must be provided for the correct use of EU funds which are intended to foster that process by means of research into and the development, implementation and dissemination of, new ideas, new technologies and new methods;
38. Urges that the principle of freedom of movement for persons with disabilities within the EU must be guaranteed by removing all the remaining barriers to the exercise of that freedom;
39. Acknowledges the awareness-raising capabilities of the EU institutions, and calls for them to raise awareness of the protection and provision of the rights of persons with disabilities;
40. Underlines the rights to sexual and reproductive health and rights; stresses that sex education must be designed and implemented also for people with disabilities, based on a holistic approach, and provided in a safe, taboo-free atmosphere;
41. Stresses the need for enhanced political cooperation within the framework, including the

financial and human resources to ensure that it can fulfil its obligations and implement the recommendations set out in the CRPD;

42. Calls for Parliament, the Council and the Commission to implement fully the recommendations of the UN Committee on the Rights of Persons with Disabilities and to ensure that the Convention is honoured in all future legislation.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	24.5.2016
Result of final vote	+: 51 -: 1 0: 2
Members present for the final vote	Jan Philipp Albrecht, Martina Anderson, Heinz K. Becker, Malin Björk, Caterina Chinnici, Rachida Dati, Agustín Díaz de Mera García Consuegra, Laura Ferrara, Monika Flašíková Beňová, Lorenzo Fontana, Kinga Gál, Ana Gomes, Nathalie Griesbeck, Sylvie Guillaume, Monika Hohlmeier, Sophia in 't Veld, Iliana Iotova, Sylvia-Yvonne Kaufmann, Barbara Kudrycka, Cécile Kashetu Kyenge, Marju Lauristin, Monica Macovei, Barbara Matera, Claude Moraes, Péter Niedermüller, Soraya Post, Judith Sargentini, Birgit Sippel, Branislav Škripek, Csaba Sógor, Helga Stevens, Traian Ungureanu, Bodil Valero, Udo Voigt, Beatrix von Storch, Josef Weidenholzer, Cecilia Wikström, Kristina Winberg, Tomáš Zdechovský
Substitutes present for the final vote	Laura Agea, Marina Albiol Guzmán, Hugues Bayet, Carlos Coelho, Pál Csáky, Teresa Jiménez-Becerril Barrio, Marek Jurek, Jeroen Lenaers, Nuno Melo, Angelika Mlinar, Artis Pabriks, Maite Pagazaurtundúa Ruiz, Emil Radev, Barbara Spinelli
Substitutes under Rule 200(2) present for the final vote	Miroslav Poche

29.4.2016

OPINION OF THE COMMITTEE ON PETITIONS(*)

for the Committee on Employment and Social Affairs

on the implementation of the UN Convention on the Rights of Persons with Disabilities with special regard to the Concluding Observations of the UN CRPD Committee

(2015/2258(INI))

Rapporteur(*): Rosa Estaràs Ferragut

(*) Associated committee – Rule 54 of the Rules of Procedure

SUGGESTIONS

The Committee on Petitions calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Attaches the highest importance to Article 33 of the UN Convention on the Rights of Persons with Disabilities – UNCRPD – (‘National implementation and monitoring’) and to the United Nations Committee’s concluding observations 76 and 77, and accordingly welcomes the approval given by the United Nations Committee to Parliament’s presence in the independent monitoring framework;
2. Points out that the Committee on Petitions provides active protection for European citizens (natural or legal persons) pursuant to Article 227 TFEU, enabling them to lodge a complaint against an infringement of their rights on the part of European, national and local authorities, including those derived from the application of European policies whose purpose is to implement the UNCRPD, in the context of the Declaration in relation to the delimitation of competences annexed to the Final Act adopting the Treaty;
3. Highlights the fact that the Committee on Petitions is recognised as one of the institutional instruments of the EU (alongside the Ombudsman, appointed to protect citizens in the event of maladministration) able to play the protection role within the independent monitoring framework, in keeping with the principles relating to the operation of national institutions set up to protect and promote human rights (‘Paris Principles’), adopted by the General Assembly of the United Nations in its 1993 resolution 48/134;

4. Points out that, in order to perform the protection role, the Committee on Petitions places its duties at the service of the independent monitoring framework as regards preliminary investigations into infringements of EU law implementing the UNCRPD, the forwarding of petitions to other parliamentary committees for them to investigate or take the corresponding action, and on-the-spot visits to gather information and establish contact with the national authorities;
5. Recalls that the Committee on Petitions receives a considerable number of petitions from persons with disabilities every year, demonstrating the reality of millions of people across Europe encountering difficulties on a daily basis with regard to access to work and employment, education and transport or participation in political, public and cultural life; stresses the importance of Article 29 of the UNCRPD on the participation without discrimination of persons with disabilities in political and public life;
6. Recalls that full inclusion of persons with disabilities is not only a right and a deserved benefit for the individuals concerned, but an asset for society as a whole as it may benefit from the value and diverse skills these persons bring forward;
7. Points out that the petitions that have received most attention have often been backed by civil society organisations representing people with disabilities, and there is thus a need to promote and publicise the protection role and effectiveness of petitions based on infringements of these rights; praises the role played by these organisations when it comes to promoting social inclusion and an improvement of quality of life of persons with disabilities, and considers that this task should be further supported by public institutions, also at the level of targeted funding;
8. Welcomes the fact that the public hearing ‘Protection of the rights of persons with disabilities, from the perspective of petitions received’, organised by the Committee on Petitions on 15 October 2015, met high accessibility standards, and recommends that all Parliament committee meetings be made accessible to persons with disabilities in the future;
9. Considers it important that the Committee on Petitions organise targeted events focusing on petitions in the field of disabilities, and stresses the important role of dialogue with input from multiple stakeholders, including other relevant committees of the European Parliament, members of the EU Framework for the UN Convention on the Rights of Persons with Disabilities, civil society organisations representing people with disabilities and academics;
10. Welcomes the use of Braille in communication with petitioners, and encourages all EU institutions to use sign language, easy-to-read formats and Braille in their communication with citizens in order to maintain and strengthen efforts to include citizens in the work of the institutions and the European project;
11. Urges Parliament’s services to strengthen the internal mechanism set up to coordinate the implementation of the UNCRPD (‘UNCRPD Network’) so that it becomes an overarching mechanism for the monitoring and implementation of the Convention covering all the parliamentary committees, with its own secretariat and full-time staff assigned exclusively to it;

12. Notes that some Member States that have ratified the UNCRPD have yet to establish or designate the bodies to implement and monitor the Convention, as required under Article 33; notes that the work of those bodies already established, in particular the monitoring frameworks set up under Article 33(2), is impeded by a lack of financial and human resources and the absence of a solid legal basis for their designation;
13. Calls on Member States that have not yet done so to take rapid steps to finalise the last reforms standing in the way of UNCRPD ratification; calls on the EU and the Member States to complement their ratification of the UNCRPD with adoption of the Optional Protocol; considers that the role of the Committee on Petitions should be clarified and recognised in the Rules of Procedure before the conclusion of the Protocol;
14. Calls on the EU and its Member States to intensify efforts to align their legal frameworks with UNCRPD requirements, including a comprehensive review of their legislation to ensure full harmonisation with the provisions of the Convention, setting clear targets and time frames for reforms, and identifying the actors responsible;
15. Calls on the Member States to urgently implement the provisions of the UNCRPD, revise their legislation accordingly and ensure proper enforcement; calls for national tools to be developed and existing ones enhanced in order to best assist people with disabilities and their families;
16. Considers that the EU should lead the way as regards the respect for and promotion of human rights; welcomes the fact that, for the first time, the EU's fulfilment of its international human rights obligations has been reviewed by a UN treaty body; considers that the UNCRPD Committee's concluding observations on the EU's implementation of the UNCRPD, published in 2015, represent an important sign of the EU's commitment to equality and respect for human rights and offer guidance for legislative and policy actions across the EU's sphere of competence;
17. Calls on the Commission to work closely with other EU institutions, bodies and agencies, as well as Member States, to coordinate effective and systematic follow-up of the concluding observations, possibly via a strategy on the implementation of the UNCRPD;
18. Calls for a comprehensive revision of the European Disability Strategy (2010-2020);
19. Following the recommendations of the first UN assessment of the UNCRPD, considers that the Commission should establish an independent instrument for the monitoring and review of the Convention, the establishment of an interinstitutional coordination mechanism and the creation of local information points and agencies in each Member State, which should be permanent;
20. Urges all Member States to allocate the monitoring frameworks established under Article 33(2) sufficient and stable financial and human resources to carry out their functions; considers that they should also guarantee the independence of monitoring frameworks by making sure that their composition and operation takes into account the Paris Principles on the functioning of national human rights institutions, as required under Article 33(2) – this would be supported by establishing a formal legal basis, clearly setting out the frameworks' role and scope; urges those Member States which have still to designate Article 33 bodies to do so as soon as possible and equip them with the resources

and mandates to effectively implement and monitor their obligations under the UNCRPD;

21. Considers that persons with disabilities and disability organisations should be involved at every stage of the decision-making process; considers that the review processes by monitoring bodies offer a valuable opportunity for input from civil society organisations, including organisations representing persons with disabilities; calls on the EU and the Member States to ensure structured and systematic consultation with representatives of organisations representing persons with disabilities when taking steps to implement their respective concluding observations and to promote the collection of data and the exchange of good practices; calls for this consultation to be fully accessible, allowing all persons with disabilities to participate, irrespective of the type of disability;
22. Stresses that persons with disabilities must be provided with information concerning their rights and accorded full participation in all policies and measures that might affect them, including a complaints mechanism, and that priority should be given to the participation of children with disabilities and, where these exist, organisations for persons with disabilities;
23. With regard to Article 35 of the UNCRPD, which obliges those Member States having signed the Convention to submit an initial report and subsequent reports on their implementation of the Convention, considers that such reports should be submitted every four years and should be drawn up with the involvement of disability organisations;
24. Invites the Commission to provide clarification as to the broad definition of disability at EU level;
25. Calls on all the EU institutions to promote awareness-raising campaigns on issues concerning disabilities, from a human rights perspective; considers that the media should strive to project a positive image of people with disabilities, focusing on their skills and their contribution to society and increasing their visibility;
26. Urges all the EU Member States to properly acknowledge the key role of family caregivers, ensuring that they receive proper social and economic recognition and implementing measures of direct material support, such as protection of pension entitlements or subsidies that reduce the full costs of services for carers; calls on the Commission to carry out a study aimed at analysing the legal status, or the lack thereof, of family caregivers in all Member States;
27. Recalls that, according to the Convention, persons with disabilities have legal capacity on an equal basis with others in all aspects of life, including access to justice – their economic situation should not therefore present any barrier to such access –, access to voting, and access to banking, health care, goods and services; calls on the EU to ensure that people with disabilities benefit from all rights established in the Treaties and EU law;
28. Stresses that legal capacity is crucial to maintaining personal autonomy, and that any restriction of this and representation by legal guardians must be established on the basis of clear criteria harmonised at EU level, with periodic review of the need for such longer-term legal representation and of the suitability of the legal guardian concerned;
29. Believes that restrictive interpretations in Member State legislation of safeguards in

respect of the right to vote should be revised where these prevent persons with psychosocial disabilities from exercising this right (Article 29 of the UNCRPD);

30. Welcomes the publication by the Commission of the proposal for a European Accessibility Act on 2 December 2015; recalls that a comprehensive approach to accessibility is needed and that the right to accessibility as stated in Article 9 of the UNCRPD must be guaranteed to people with all types of disabilities;
31. Calls on the Commission to promote and enhance the use of Structural Funds by Member States, with a view to developing high-quality social services for people with disabilities and ensuring the transition from institutional care to community-based care;
32. Stresses that all persons with disabilities have the right to live in a society in which they enjoy equal opportunities with others, so as to ensure their full inclusion and participation therein;
33. Requests that use of Structural and Investment Funds be made in a balanced way, encouraging the development of more inclusive communities and institutionalisation systems where requested, so that in both cases people with disabilities, including children and young people, can receive the appropriate support and assistance across the EU, thereby fostering the aim of greater autonomy within each individual's possibilities;
34. Calls on Member States to take appropriate measures to promote access to structural funds for support services, with special regard to children and young people, and their families;
35. Stresses that institutions offering support for persons with disabilities, and in particular those responsible for secure facilities, should comply with duly certified standards (to be defined), and undergo regular inspections;
36. Calls on the EU and the Member States to deliver effective measures aimed at tackling segregation of students with disabilities in schools and learning environments, making all the necessary efforts to ensure that they fully enjoy inclusive, high-quality formal, non-formal and informal education;
37. Calls on the Commission to draft a report on the impact on persons with disabilities of the main EU policies and investment funds; calls on the Commission and the Member States to involve organisations representing persons with disabilities in the programming of Operational Programmes; stresses, moreover, the importance of guaranteeing full accessibility of people with disabilities to EU programmes such as Erasmus +, the Youth Guarantee and EURES initiatives;
38. Stresses that children with disabilities encounter specific problems and that efforts should be made to eliminate all kinds of obstacles and barriers, enabling them to achieve full autonomy and enjoy equal opportunities, it being crucial, therefore, that they be involved in shaping the policies that affect them; considers that, to this end, instruments should be established to enable children with disabilities to make their views known and to ensure their involvement;
39. Calls on the Commission to ensure high-quality inclusive education in European schools from an early age, with a preventive approach and vision of disability, in line with

UNCRPD requirements on multidisciplinary assessment of individual needs, the non-exclusion of children with disabilities and the provision of adequate reasonable accommodation;

40. Calls on the Commission to take urgent action in cooperation with the Member States and the organisations representing persons with disabilities to ensure social protection and proper living standards for such persons and protect them from the consequences of the austerity measures taken as a result of the economic crisis;
41. Calls on Member States to refrain from making cuts in disability-related benefits, community-based services, health services, training and education programmes that will undermine the UNCRPD and increase the levels of poverty and social exclusion even further;
42. Takes note of petitions portraying cases of wrongdoing in some Member States when it comes to ensuring the subsistence of persons with disabilities, not only concerning the lack of payment of subsidies granted by law, but also cases such as in petition 1062/2014 where authorities allegedly made arbitrary administrative decisions in order to reduce the allowances previously granted on the basis of dubious medical assessments effectively reducing the degree of disability; asks the national, regional and local authorities concerned to be more sensitive to the implications of such actions on the lives of the individuals affected and their families, and requests that the Commission monitor thoroughly the various policies and related measures concerning disabilities that are implemented in the different Member States;
43. Urges the EU institutions to review the Staff Regulations, internal regulations and implementing rules in order to adopt comprehensive recruitment policies, including positive measures, to actively increase the number of staff and trainees with disabilities and to ensure that all employees of the EU institutions who have disabilities, or have dependent family members with disabilities, receive the reasonable accommodation they need in order to enjoy their rights on an equal footing with others; calls on the Commission to revise the EU institutions' Joint Sickness and Insurance Scheme so as to comprehensively cover disability-related health needs in a manner which is compatible with the Convention;
44. Stresses that the freedom of movement for European citizens must be guaranteed for persons with disabilities, to which end the Member States must ensure mutual recognition of their situation and social rights (Article 18 of the UNCRPD);
45. Considers that a European Disability Card would enable persons with disabilities to travel beyond the borders of their own countries and enjoy the benefits of being able to access culture, transport and sport, and that other benefits should be examined and their mutual recognition promoted;
46. Considers that the Digital Single Market Strategy should be implemented in such a way as to ensure full access to all aspects of it for persons with disabilities;
47. Notes that only about 48 % of persons with disabilities in the EU are in employment and only 27.8 % have completed a higher education course; stresses the need for the EU institutions and the Member States, in accordance with Article 27 UNCRPD, to abolish

any existing barriers as regards access to employment for persons with disabilities and to promote active policies, via tailor-made training and specific instruments, that should foster and facilitate their access to the labour market; encourages the exchange of best practices among Member States with regard to the most efficient tools for increasing the employment rates;

48. Stresses that persons with disabilities must be ensured non-discriminatory access to health and care systems, with all due attention paid to the difficulties that might arise when treating such patients; stresses, in particular, that non-discriminatory access to sexual and reproductive health care must be ensured and that under no circumstances should sterilisation or abortion be imposed against a person's will, and that health care systems should moreover ensure the detection, reporting and prevention of sexual violence and/or abuse;
49. Stresses that health insurance schemes must not discriminate against persons with disabilities;
50. Considers that the impact on persons with disabilities of the Cross-Border Health Directive should be assessed;
51. Stresses that the informed consent of persons with disabilities must be sought for all medical interventions requiring it, and that all necessary measures must therefore be in place to ensure that these persons can access and understand the relevant information; stresses that this consent must be given personally, in advance and in full knowledge of the facts, with all necessary mechanisms to ensure that these principles are complied with, and that similar, appropriate measures must also be taken in regard to persons with psychosocial disabilities;
52. Considers that the air and maritime transport regulations should be revised to ensure that no form of discrimination, whether physical or economic, can be practised against passengers with disabilities, and to remove all obstacles in this regard;
53. Draws attention to the UN recommendation on the need to ensure a gender perspective in all disability policies, and in particular policies seeking to combat violence and discrimination; calls on the EU to sign up to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) as a further step towards combating violence against women and girls with disabilities; calls also on the EU to promote policies to combat discrimination against persons with disabilities;
54. Invites all EU Member States to agree to a strong directive on the accessibility of public sector bodies' websites, which should include all websites providing public services – including where these are provided by private entities and/or funded, or partially funded, by public funds –, mobile web and mobile applications, and downloadable documents (Word, PDF, etc.) which are extensively used in online processes; calls on the EU institutions to ensure that all of their web pages and documents are accessible to persons with disabilities;
55. Calls for a swift ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled; notes

with profound indignation that seven EU Member States have formed a minority block which is impeding the process of ratifying the Marrakesh Treaty and urges them to reconsider their position and to facilitate the ratification, independently of whether there is a need for a revision of the EU legal framework or of the expected decision of the Court of Justice on the matter of competences, which may still take several months;

56. Calls for the urgent unblocking of the EU anti-discrimination directive, which has not seen any advancement in the Council since 2008.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	19.4.2016
Result of final vote	+: 28 -: 1 0: 0
Members present for the final vote	Marina Albiol Guzmán, Margrete Auken, Alberto Cirio, Pál Csáky, Rosa Estaràs Ferragut, Eleonora Evi, Peter Jahr, Rikke Karlsson, Jude Kirton-Darling, Notis Marias, Edouard Martin, Roberta Metsola, Marlene Mizzi, Julia Pitera, Gabriele Preuß, Eleni Theocharous, Jarosław Wałęsa, Cecilia Wikström, Tatjana Ždanoka
Substitutes present for the final vote	Enrique Calvet Chambon, Kostadinka Kuneva, Miltiadis Kyrkos, Jérôme Lavrilleux, Julia Reda, Ángela Vallina, Reiner Wieland
Substitutes under Rule 200(2) present for the final vote	José Blanco López, Martina Dlabajová, Zbigniew Kuźmiuk

26.5.2016

OPINION OF THE COMMITTEE ON FOREIGN AFFAIRS

for the Committee on Employment and Social Affairs

on implementation of the UN Convention on the Rights of Persons with Disabilities with special regard to the concluding observations of the UN CRPD Committee (2015/2258(INI))

Rapporteur: Richard Howitt

SUGGESTIONS

The Committee on Foreign Affairs calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Welcomes new Objective 12 in the Action Plan on Human Rights and Democracy 2015-2019; calls on the Commission to ensure that the implementation of the Convention on the Rights of Persons with Disabilities is systematically raised in human rights dialogues with third countries; calls on the EU Special Representative for Human Rights to lead and monitor progress in this field, with special regard to standardisation efforts in terms of accessibility;
2. Calls strongly for Section 8 of the European Disability Strategy referring to external action to be matched by the inclusion of genuine and concrete commitments which will improve the lives of people with disabilities in the strategy's new 'list of actions' for 2016-2020, such commitments having been absent in the 2010-2015 list;
3. Supports the effective inclusion of persons with disabilities in society, namely in local communities, and the funding of services for persons living independently through programmes under the external action financing instruments; calls for more streamlined use of the EU Structural Funds; calls for the mid-term evaluation of the external financing instruments in order to assess how effectively they have contributed to the inclusion of persons with disabilities in their societies, barriers have been dismantled, and accessibility has been promoted; demands, furthermore, that any expenditure in EU programmes that support institutionalisation avoid the segregation of persons with disabilities; calls for the strengthening and monitoring of expenditure in consultation with disability organisations;
4. Supports the CRPD expert recommendations for the EU to be more accessible and

inclusive in order to achieve a human-rights-based approach to disability in situations of risk and emergency, including through implementation of the Sendai Framework; strongly urges the mainstreaming in EU migration and refugee policies of the human rights of persons with disabilities, who suffer double discrimination; stresses that these measures should provide an appropriate response to the specific needs of persons with disabilities and take into account the requirement for needs-based reasonable accommodation measures; encourages further mainstreaming of the needs of persons with disabilities in the humanitarian response provided by the Member States and the European Union;

5. Reiterates the importance of the Council conclusions on the integration of disability-inclusive disaster management across the EU Civil Protection Mechanism and throughout the Member States; calls for raising awareness among, and providing information to, persons with disabilities and emergency and civil protection services on disaster-risk reduction initiatives and for psychological support to be provided to persons with disabilities in the recovery phase of the disasters;
6. Welcomes the CRPD Committee's recommendations for the EU to develop a system of human-rights-based indicators; stresses that this must clearly measure the access of persons with disabilities to EU external programmes and the impact of EU funds on the human rights of persons with disabilities, in line with Articles 31 and 32 of the CRPD; calls for an explicit reference to the CRPD in all impact assessment guidelines; calls for the EU to develop a comprehensive data collection system;
7. Recommends that EU delegations and agencies display a sufficient understanding of EU disability strategies and work in an inclusive and accessible way; suggests the creation of a 'focal point' for CRPD in the European External Action Service; calls for the urgent introduction of a disability perspective in all training courses on human rights provided in the framework of the CSDP missions;
8. Strongly regrets the lack of sufficient formal consultation by the EU of organisations representing persons with disabilities in its preparations for the review process by the UN CRPD Committee in 2015 and in drafting its progress report; calls for disability organisations to contribute actively to CRPD meetings as an independent party including by taking part in official EU delegations for future reviews;
9. Recalls that women and girls with disabilities experience double discrimination and are often at greater risk of suffering violence, abuse, maltreatment or exploitation; strongly supports the recommendation of mainstreaming a gender perspective in all EU disability strategies, including in the EU's external policies and action.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	24.5.2016
Result of final vote	+: 47 -: 1 0: 0
Members present for the final vote	Lars Adaktusson, Michèle Alliot-Marie, Petras Auštrevičius, Amjad Bashir, Goffredo Maria Bettini, Elmar Brok, Klaus Buchner, James Carver, Lorenzo Cesa, Javier Couso Permuy, Georgios Epitideios, Knut Fleckenstein, Eugen Freund, Michael Gahler, Iveta Grigule, Janusz Korwin-Mikke, Eduard Kukan, Ilhan Kyuchyuk, Ryszard Antoni Legutko, Barbara Lochbihler, Sabine Lösing, Andrejs Mamikins, Ramona Nicole Mănescu, David McAllister, Tamás Meszerics, Francisco José Millán Mon, Javier Nart, Pier Antonio Panzeri, Demetris Papadakis, Ioan Mircea Pașcu, Vincent Peillon, Alojz Peterle, Tonino Picula, Andrej Plenković, Cristian Dan Preda, Jozo Radoš, Jaromír Štětina, Charles Tannock, Geoffrey Van Orden, Boris Zala
Substitutes present for the final vote	Luis de Grandes Pascual, Andrzej Grzyb, Marek Jurek, Tokia Saïfi, Bodil Valero, Janusz Zemke
Substitutes under Rule 200(2) present for the final vote	Therese Comodini Cachia, Judith Sargentini, Ricardo Serrão Santos, Jarosław Wałęsa, Renate Weber

25.5.2016

OPINION OF THE COMMITTEE ON DEVELOPMENT

for the Committee on Employment and Social Affairs

on implementation of the UN Convention on the Rights of Persons with Disabilities with special regard to the concluding observations of the UN CRPD Committee (2015/2258(INI))

Rapporteur: Heidi Hautala

SUGGESTIONS

The Committee on Development calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Recalls that around 15 % of the world's population, or an estimated one billion people, live with disabilities and 80 % of these people live in low-income countries; underlines that 50 % of disabilities are preventable and directly linked to poverty and also that an estimated 98 % of children with disabilities in the developing world do not attend school;
2. Underlines the fact that poverty is both a cause and a consequence of disability and that poverty is a barrier to accessing basic needs, such as nutrition, healthcare, water and sanitation, and that this can lead to disability;
3. Draws attention to the fact that disabilities are becoming increasingly common as the population ages;
4. Underlines the fact that persons with disabilities may face additional disability-related costs, higher rates of unemployment and lower incomes, which can put them and their families at higher risk of financial hardship;
5. Underlines the fact that exclusion from education may lead to lower employment and earning potential among people with disabilities, making these individuals and their families more vulnerable to poverty and limiting national economic growth;
6. Underlines the fact that an inability to access and receive appropriate timely healthcare may result in continuously poor or worsening levels of functioning among people with disabilities, including the development of additional disabling conditions that lead to higher personal and societal medical and productivity costs in the long term;

7. Stresses the fact that the inclusion of persons with disabilities in society regardless of a country's socio-economic, political or cultural status is not just a development issue but also a human rights issue;
8. Underlines the fact that ongoing conflicts and natural disasters are also contributing factors in the growing numbers of persons with disabilities;
9. Highlights the pledge to leave no one behind and the references to disabilities in the Sustainable Development Goals (SDGs), specifically in the sections related to education, growth and employment, inequality and the accessibility of human settlements, and as regards data collection and monitoring of the SDGs and recommends that the EU take the lead in the implementation of disability-inclusive SDGs; underlines in addition the references to the Sendai Framework for Disaster Risk Reduction (DRR);
10. Stresses the fact that mainstream policies and programmes are not always accessible to persons with disabilities;
11. Stresses the fact that significant progress has been achieved by the EU regarding the implementation of the Convention on the Rights of Persons with Disabilities (CRPD) but that, as stated by the CRPD Committee, there is still a lot to do in terms of inequality, unemployment and education; expresses concern furthermore regarding sexual violence and other forms of abuses against people with disabilities, in particular women and children;
12. Invites the Commission to draft an implementation plan for SDGs and DRR in line with the CRPD; underlines that such a plan should make an important contribution to the definition of indicators in areas related to disability and socio-economic inclusion; stresses that poverty, social protection, health coverage, violence against women, sexual and reproductive health and rights, access to water and sanitation and energy, resilience to disasters and birth registration deserve particular attention in the definition of SDG indicators;
13. Stresses the fact that any actions regarding information, awareness and training are essential in order to implement the CRPD;
14. Stresses the fact that all EU policies and programmes, both externally and internally, must comply with the CRPD and establish specific measures which guarantee that the rights of persons with disabilities are mainstreamed in all domains, including humanitarian and development policies and programmes; calls on the EU, to this end, to adopt a harmonised policy on disability-inclusive development and establish a systematic and institutionalised approach to mainstreaming the rights of persons with disabilities in all EU international cooperation policies and programmes;
15. Calls, furthermore, on the EU to:
 - put in place more development projects which focus specifically on people with disabilities;
 - establish a mechanism to build capacity and share good practices among the various EU institutions and between the EU and its Member States on disability-inclusive and

accessible humanitarian aid;

- identify and put in place mechanisms to collect and monitor disaggregated data on disability, sex and age in order to monitor the rights of persons with disabilities in EU development programmes and to set a timetable for providing disaggregated data across all the programmes;
 - mainstream disability in migration and refugee policies;
 - put in place focal points for disability issues in EU delegations;
 - put in place focal points for disability issues in EU delegations, appointing trained liaison officers who can offer the benefits of their expertise and professionalism to persons with disabilities;
 - address disability issues in dialogues with partner countries and support and engage in strategic cooperation with the partner country disability NGOs;
 - review the Multiannual Financial Framework (MFF) and the European Development Fund (EDF) in the context of the CRPD;
 - include a reference to mainstreaming disability issues into EU policies in the possible new European Consensus on Development;
 - consider earmarking funds provided for all EU international cooperation policies and programs for the national programs for people with disabilities;
 - provide children likely to be at risk with swift, appropriate and comprehensive care, given the importance of early intervention;
 - provide parents of disabled children with the training they require in order to take a full and active part in their children’s care;
 - promote the early integration of disabled children and the provision of special education services in infant and primary schools;
16. Calls for the EU to take the lead on the promotion of the rights of persons with disabilities in the implementation of the Sendai Framework for Disaster Risk Reduction and of the 2030 Agenda for Sustainable Development with its partner countries, regional organisations and at the global level;
17. Recommends that the EU take the lead on a disability-inclusive implementation of the 2030 Agenda for Sustainable Development and establish a work plan and a mid-term review of the work plan in order to guarantee a monitoring and evaluation mechanism and ensure EU accountability;
18. Stresses the importance of regular consultation with persons with disabilities and their representative organisations;
19. Underlines the importance of giving special support to persons with disabilities in post-emergency situations;

20. Stresses the importance of creating a ‘disability desk’ in order to improve effective coordination and information gathering in developing countries.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	24.5.2016
Result of final vote	+: 19 -: 1 0: 1
Members present for the final vote	Beatriz Becerra Basterrechea, Nirj Deva, Doru-Claudian Frunzulică, Maria Heubuch, György Hölvényi, Teresa Jiménez-Becerril Barrio, Linda McAvan, Norbert Neuser, Maurice Ponga, Lola Sánchez Caldentey, Elly Schlein, Davor Ivo Stier, Bogdan Brunon Wenta, Rainer Wieland
Substitutes present for the final vote	Marina Albiol Guzmán, Agustín Díaz de Mera García Consuegra, Carolina Punset, Adam Szejnfeld, Patrizia Toia, Jan Zahradil
Substitutes under Rule 200(2) present for the final vote	John Stuart Agnew

28.4.2016

OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND FOOD SAFETY

for the Committee on Employment and Social Affairs

on implementation of the UN Convention on the Rights of Persons with Disabilities with special regard to the Concluding Observations of the UN CRPD Committee (2015/2258(INI))

Rapporteur: Nessa Childers

SUGGESTIONS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Highlights the strong correlation between disability, which affects over 15 % of the EU's population, and ill-health, with difficulties and persistent barriers in access leading to the inadequate or unmet provision of healthcare services to people with disabilities including when the disability results from a drug adverse reaction; notes that the lack of access to quality health services has a negative effect on the ability of those with disabilities to live independently, inclusively and on an equal basis with others;
2. Notes with concern that people with disabilities report significantly higher rates of inadequate provision or denial of care, and instances of forced or ill-treatment, pointing to the lack of training of healthcare professionals on the healthcare needs of persons with disabilities; calls on the Member States to invest in the training of professionals who treat and assist people with disabilities;
3. Stresses the need to consider and address intersectional and multiple discrimination issues, in light of the especially high incidence of reported serious health problems among women with disabilities, the overall higher percentages of mental health problems among the female population, particularly migrants, refugees and asylum seekers and other instances of preventable discrimination against persons with disabilities, such as those arising from age, gender, sexual orientation and identity, and social inequalities;
4. Calls on the Member States to adopt legal provisions and procedures which explicitly recognise, prevent and address multiple and intersectional discrimination and to take appropriate measures to provide awareness-raising and training on multiple and

intersectional discrimination to both public and private actors, with a particular attention to women, children, lesbian, gay, bisexual, transgender and intersex people (LGBTI) and migrants with disabilities;

5. Emphasises informed consent and accessible procedures as a pre-condition to the right of people with disabilities to freely exercise decisions concerning their medical treatment to the fullest possible extent, with a particular attention to persons with learning disabilities; calls for the rights of patients to be at the centre of care;
6. Recalls the Commission's privileged position in facilitating and spurring the implementation of best practices across the Member States as regards equal access to mainstream healthcare services and the provision of disability-specific care and treatment;
7. Calls on the Commission to integrate disability-oriented approaches in its health instruments and policies so as to contribute to improved health outcomes for people with disabilities in the Member States, through better physical, environmental and sensory accessibility, quality and affordability, and while the instruments and policies are being developed along these lines, to hold thorough consultations with people with disabilities;
8. Calls on the Commission and the Member States to work together to develop support facilities to help children and teenagers with disabilities to realise their full potential; draws attention in particular to the need to encourage their upbringing within the family and the community, rather than institutionalising them;
9. Reiterates that reproductive rights are among the fundamental freedoms guaranteed under the 1993 Vienna Declaration and Programme Action and the UN CRPD, including: the right to equality and non-discrimination, the right to marry and found a family; the right to comprehensive reproductive health care including family planning and maternal health services, education, and information; the right to give informed consent to all medical procedures including sterilisation and abortion; and the right to be free from sexual abuse and exploitation;
10. Calls on the Member States to adopt measures to ensure that all healthcare and services provided to women with disabilities, including all reproductive health and mental healthcare and services, are accessible and based on the free and informed consent of the individual concerned;
11. Urges the Member States to adopt guidelines to ensure that all education, information, healthcare and services relating to sexual and reproductive health, are made available to women and girls with disabilities in accessible and age-appropriate formats, including sign languages, Braille, tactile communication, large print, and other alternative modes, means and formats of communication;
12. Calls furthermore on the Member States to ensure that involuntary treatment and confinement are not permitted by law in accordance with the latest international standards;
13. Notes that the lack of disaggregated data and statistics at sub-national level and by sub-groups in the population is a barrier to formulating adequate policies to reduce inequalities in access; calls on the Commission to support Member States by harmonising the definition of and collection of waiting time indicators and by setting and enforcing

standards for accessibility of health facilities for people with disabilities;

14. Calls on the Commission to refrain from supporting austerity measures which are likely to produce EU-wide adverse effects on the provision of adequate healthcare for persons with disabilities;
15. Calls on the Member States to refrain from cuts in disability-related benefits, community-based services and health services, resulting in the deterioration of the health and wellbeing of persons with disabilities and of family caregivers;
16. Urges the Commission to include a disability-specific component in its evaluation of the Cross-Border Healthcare Directive and urges the Member States to further its implementation from the perspective of the needs of people with disabilities and their right to know, and effectively avail, on an equal basis with others, of the Directive's provisions and instruments, awareness of which is low even among the general population;
17. Urges the Commission to develop EU-wide guidance for the National Contact Points on the provision of accessible information to all patients about care in other Member States, bearing in mind the particular role of patient organisations;
18. Encourages the Commission to assist the Member States and members of the European Reference Networks to extend the network's resources and expertise to forms of disability which, though not necessarily rare, also require highly specialised healthcare provided by multidisciplinary healthcare teams and a concentration of knowledge and resources through this framework;
19. Welcomes the European Disability Card pilot project; encourages all Member States to join the European Disability Card initiative and calls on the Commission, if required, to allocate the necessary financial resources to develop the European Disability Card as an EU-wide project;
20. Calls on the Commission and the Member States to ensure that electronic and mobile health services, applications and devices, including the 112 emergency number, which must be of easy use anywhere in Europe, and the advanced mobile location (AML) system, are fully accessible to patients with disabilities and their respective carers, and to further exploit the potential of telemedicine to improve access and care in this context;
21. Notes that in the 2014-2020 programming period the Structural and Investment Funds afford scope for actions to further the aims of the Convention; calls therefore for more streamlined use of the EU Structural Funds complemented, where necessary, by national measures as one of the tools to provide high-quality healthcare to people with disabilities suited to their condition, to eliminate disparities as regards access to care, to improve the quality of life and promote accessibility of health care, including electronic services, applications and devices, for persons with disabilities;
22. Maintains that products and services must be made more accessible to people with disabilities; points out that economic and cost-benefit barriers are preventing accessibility from being developed and implemented; believes that greater involvement of people with disabilities when health-related products and services are being developed will make for

greater safety and accessibility;

23. Calls for disabled people's organisations to be fully involved in the development and review of disability policies;
24. Underlines that persons with physical disabilities also face problems on the digitised mobility market, and calls for facilitating access for all persons with all types of disabilities in accessible languages, formats and technologies appropriate to different kinds of disabilities, including sign languages, Braille, augmentative and alternative communication systems and other accessible means, modes and formats of communication of their choice, including easy-to-read language, subtitling and personal text messages, in particular for health information, while making use of more than one sensory channel;
25. Encourages the Commission to make sustained efforts to boost health prevention and promotion in order to address the serious disparities in health and access which affect the most vulnerable persons with disabilities;
26. Calls on the Commission and the Member States to advocate for the classification of memory-disabling disease as a disability;
27. Calls on the Commission and the Member States to make progress as quickly as possible in implementing the European Disability Strategy 2010-2020;
28. Calls on the Commission to bring the European Disability Strategy in line with the CRPD with a clear timeframe, benchmarks and indicators;
29. Calls on the Commission to include in the European Disability Strategy a specific section on the protection of dependent people with disabilities who have no family to support them; points out that this section should consider firstly the social and health needs of people with disabilities and then all other aspects of their lives;
30. Urges the Commission and the Member States to give proper acknowledgment to the key role of family caregivers and to ensure that they also have appropriate access to health services in view of the impact that caring for persons with disabilities has on their own physical and mental health and well-being;
31. Stresses that eliminating discrimination against persons with disabilities in all areas of life, including in access to healthcare, is dependent on the adoption and implementation of the Horizontal Equal Treatment Directive.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	26.4.2016
Result of final vote	+: 56 -: 0 0: 8
Members present for the final vote	Marco Affronte, Margrete Auken, Pilar Ayuso, Zoltán Balczó, Ivo Belet, Simona Bonafè, Biljana Borzan, Lynn Boylan, Soledad Cabezón Ruiz, Nessa Childers, Alberto Cirio, Birgit Collin-Langen, Mireille D'Ornano, Seb Dance, Angélique Delahaye, Jørn Dohrmann, Ian Duncan, Stefan Eck, Bas Eickhout, Eleonora Evi, José Inácio Faria, Francesc Gambús, Elisabetta Gardini, Gerben-Jan Gerbrandy, Jens Gieseke, Julie Girling, Matthias Groote, Françoise Grossetête, Andrzej Grzyb, Anneli Jäätteenmäki, Jean-François Jalkh, Benedek Jávor, Karin Kadenbach, Kateřina Konečná, Giovanni La Via, Peter Liese, Norbert Lins, Susanne Melior, Miroslav Mikolášik, Massimo Paolucci, Gilles Pargneaux, Piernicola Pedicini, Bolesław G. Piecha, Pavel Poc, Daciana Octavia Sârbu, Davor Škrlec, Renate Sommer, Estefanía Torres Martínez, Nils Torvalds, Tom Vandenkendelaere, Jadwiga Wiśniewska, Damiano Zoffoli
Substitutes present for the final vote	Clara Eugenia Aguilera García, Nicola Caputo, Giorgos Grammatikakis, Merja Kyllönen, Gesine Meissner, Marijana Petir, Gabriele Preuß, Jasenko Selimovic, Kay Swinburne, Keith Taylor, Mihai Țurcanu
Substitutes under Rule 200(2) present for the final vote	Marie-Christine Boutonnet

27.4.2016

OPINION OF THE COMMITTEE ON TRANSPORT AND TOURISM

for the Committee on Employment and Social Affairs

on implementation of the UN Convention on the Rights of Persons with Disabilities with special regard to the Concluding Observations of the UN CRPD Committee (2015/2258(INI))

Rapporteur: Davor Škrlec

SUGGESTIONS

The Committee on Transport and Tourism calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

- A. whereas the Treaty on the Functioning of the European Union (TFEU) requires the Union to combat discrimination based on disability when defining and implementing its policies and activities (Article 10) and gives it the power to adopt legislation to address such discrimination (Article 19);
- B. whereas Articles 21 and 26 of the Charter of Fundamental Rights of the European Union explicitly prohibit discrimination on the grounds of disability and provide for equal participation of persons with disabilities in society;
- C. whereas in its reactions to Parliament's resolution of 27 September 2011 on Europe, the world's No 1 tourist destination – a new political framework for tourism in Europe¹, adopted by the Commission on 13 December 2011, the Commission acknowledged the need to ensure a seamless chain of accessible services to all (transport, accommodation, catering and attractions), and, to this end, it has started to put in place actions to raise awareness, improve skills in the tourism sector and ultimately increase the quality of tourist facilities for those with special needs or disabilities;
- D. whereas the needs of people with disabilities, functional diversity and reduced mobility in the fields of transport, mobility and tourism match business innovation opportunities for transport and mobility services and can lead to win-win situations in serving people with all types of disabilities (including, but not limited to, people with reduced mobility

¹ OJ C 56E, 26.2.2013, p. 41.

(PRM), blind people, deaf and hard-of-hearing people, people with autism and people with intellectual or psychosocial disabilities) as well as all other users of these services, in the spirit of ‘design for all’;

- E. whereas there are 80 million people with disabilities or functional diversity in Europe, i.e. one sixth of the population;
1. Urges the Commission and the Council to look after the needs of people with disabilities better, and to take such needs consistently into account when reviewing EU regulations, such as those on passenger rights in different modes of transport (Regulations (EC) No 1107/2006 and (EC) No 261/2004 on air transport, Regulation (EC) No 1371/2007 on rail transport, Regulation (EU) No 1177/2010 on waterborne transport and Regulation (EU) No 181/2011 on bus and coach transport), and when drawing up legislation, for example on passenger rights in the context of multimodal journeys; stresses that the EU committed itself to a barrier-free Europe in 2010 in the European Disability Strategy 2010-2020;
 2. Calls on the EU to strengthen monitoring of the implementation of legislation on passenger rights and to harmonise the work of the national enforcement bodies, and calls on the Member States to take all necessary steps towards the implementation of EU legislation aimed at improving transport accessibility at local, regional and state level for transport and tourism purposes (including buses and taxis, urban public transport, and rail, air and waterborne transport, and also including stations, airports and ports) and to tackle the obstacles to a barrier-free Europe, for example by strengthening the competences of the relevant enforcement bodies under passenger rights legislation in order to ensure effective and equal rights for all passengers with disabilities across the EU, including with regard to accessibility and standardisation, harmonisation, technical requirements, incentives for businesses, trade union policy and collective agreements;
 3. Calls on the Commission to clarify the responsibilities of each of the actors involved in providing care for PRM, with particular regard to transfers between different modes of transport, and to provide Parliament with information on the participation of associations for people with disabilities and their role in the implementation of passenger rights regulations;
 4. Calls on the Commission and the Member States to make progress on implementing the European Disability Strategy 2010-2020; regrets that the mid-term assessment of this Strategy, due in 2015, has been delayed and calls on the Commission to complete and communicate this assessment as soon as possible;
 5. Strongly believes in the advantages of common accessibility rules at EU level, and therefore looks forward to the swift adoption of the Commission’s proposal for the European Accessibility Act¹;
 6. Stresses the need to adopt the European Accessibility Act, which is instrumental in addressing all the issues related to PRM accessibility in the fields of transport, mobility and tourism, and ensuring that air, bus, rail and waterborne passenger transport services, especially as regards interchanges and step-free access on all public underground trains and railways, websites, mobile device-based services, smart ticketing and real-time

¹ COM(2015)0615.

information, and self-service terminals, ticketing machines and check-in machines used for provision of passenger transport services are fully accessible for people with disabilities;

7. Recognises that small and medium-sized businesses will benefit from complying with standard EU requirements, rather than having to adjust to divergent national rules; regrets, however, that tourism products and tourist services of a cross-border nature are not covered by the proposal for the European Accessibility Act; underlines that no further actions have been taken at EU level regarding tourism facilities and services in order to gradually harmonise accommodation classification, taking into account accessibility criteria;
8. Calls on the Commission to propose the ratification by the EU of the optional protocol to the UN Convention on the Rights of Persons with Disabilities so that disabled people can enforce their rights better, especially as regards their lack of access to transport services and aspects of the built environment, including tourist facilities and accommodation;
9. Emphasises that barrier-free accessibility to transport services, vehicles, infrastructure and intermodal connecting hubs, in particular in rural areas, is the key to securing mobility systems free from built-in discrimination; stresses, in this regard, that people with disabilities must have access to products and services and that further effort has to be made to make transport and tourism services, vehicles and infrastructure accessible; points out that the Connecting Europe Facility offers the possibility of financing measures in urban areas and measures to improve accessibility for people with some type of disability, which may amount to up to 10 % of adaptation costs;
10. Calls on the Commission, in its annual report on the implementation of TEN-T funds, to publish the progress made on measures and the amount of aid granted for adapting infrastructure to people with disabilities under the Connecting Europe Facility and other types of EU funding; calls likewise on the Commission to take action to promote greater involvement in projects geared to adapting infrastructure to people with disabilities, including, among other things, information and dissemination sessions for potential developers;
11. Highlights, in this connection, the importance of financing measures in urban areas, where people have to switch between different modes of transport more frequently and where people with some type of mobility dysfunction encounter most difficulties;
12. Maintains that accessibility is essential if people with disabilities are to take full advantage of the European tourism offering;
13. Underlines that consistently accessible formats should top the agenda of digitised mobility market policies, and should facilitate access for all persons with all types of disabilities by using accessible languages, formats and technologies appropriate to different kinds of disabilities, including sign languages, Braille, augmentative and alternative communication systems and other accessible means, modes and formats of communication of the person's choice, including easy-to-read language or pictograms, subtitling and personal text messages, for travel information, booking and ticketing, allowing use of more than one sensory channel; urges the Commission with regard to transport facilities and services to establish the appropriate monitoring and controlling

mechanisms that will ensure that accessibility and assistive devices for people with disabilities will also be offered in public transport services in all Member States;

14. Emphasises that persons with disabilities should be able to obtain information about multimodal, cross-border services which provide door-to-door transport in such a way that they can choose between the most sustainable, the cheapest or the quickest service, and to book and pay for such services online;
15. Calls for real-time travel information to be made available so that, before they set out on a journey, persons with disabilities can obtain information about disruptions or alternative travel arrangements;
16. Welcomes the European Disability Card pilot project; calls on the involved Member States and the Commission to take into consideration and to use, where appropriate, the latest technological developments, particularly in the fields of intermodality, interconnectivity and interoperability, and emphasises that the principle of ‘universal design’ must always be applied when designing products related to air, bus, rail and waterborne passenger transport in order to fully comply with accessibility requirements; encourages all Member States to join the European Disability Card initiative and calls on the Commission to allocate the necessary financial resources to develop the European Disability Card as an EU-wide project;
17. Calls on the Commission and the Member States to take steps to ensure that persons with disabilities can easily use the 112 emergency number anywhere in Europe;
18. Stresses that special attention must be paid to assistive technologies which enable the independent living of people with disabilities, and that acquired knowledge on the need for barrier-free mobility and tourism services must be more fully integrated into upcoming research and innovation programmes, such as those within Horizon 2020; points out that this will entail improving and harmonising statistical data at European level and sharing best practice;
19. Calls on the Commission to foster research, data collection and exchange of good practices in consultation with representative organisations of persons with disabilities, and to provide a regular overview of data on accessibility to tourism services for people with disabilities, as provided for in the two annexes to Regulation (EU) No 692/2011 on tourism statistics;
20. Emphasises that tourism services must take into account the special needs of people with disabilities such as easy access to information and communication and to facilities such as rooms, bathrooms, toilets and other indoor areas;
21. Asks the relevant authorities in the Member States to prepare awareness-raising strategies on the rights of persons with disabilities, to facilitate transport and tourism staff’s training in awareness and disability equality, and to encourage collaboration and the exchange of good practice among European organisations working in the disability field and public and private bodies responsible for transport; urges that training materials also be made available in accessible formats;
22. Stresses that airline staff must be given rigorous training so that airlines can provide

adequate services to persons with a disability; stresses that particular attention must be paid to making sure that staff can handle wheelchairs without damaging them;

23. Maintains that the ‘tourism for all’ principle should be the reference point for any tourism-related action at national, regional, local or European level; points out that tourism service providers should allow for the needs of people with disabilities by promoting the adaptation of facilities and staff training activities.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	26.4.2016
Result of final vote	+: 42 -: 1 0: 1
Members present for the final vote	Daniela Aiuto, Lucy Anderson, Marie-Christine Arnautu, Inés Ayala Sender, Georges Bach, Izaskun Bilbao Barandica, Deirdre Clune, Michael Cramer, Luis de Grandes Pascual, Andor Deli, Karima Delli, Isabella De Monte, Ismail Ertug, Jacqueline Foster, Tania González Peñas, Dieter-Lebrecht Koch, Stelios Kouloglou, Merja Kyllönen, Bogusław Liberadzki, Peter Lundgren, Gesine Meissner, Cláudia Monteiro de Aguiar, Renaud Muselier, Jens Nilsson, Markus Pieper, Salvatore Domenico Pogliese, Gabriele Preuß, Dominique Riquet, Massimiliano Salini, Claudia Schmidt, Jill Seymour, Claudia Tapardel, Keith Taylor, Pavel Telička, István Ujhelyi, Peter van Dalen, Wim van de Camp, Elissavet Vozemberg-Vrionidi, Janusz Zemke, Roberts Zile, Kosma Zlotowski, Elżbieta Katarzyna Łukacijewska
Substitutes present for the final vote	Rosa D'Amato, Jill Evans, Michael Gahler, Maria Grapini, Karoline Graswander-Hainz, Marek Plura, Davor Škrlec, Dubravka Šuica, Ruža Tomašić, Evžen Tošenovský, Henna Virkkunen

21.3.2016

OPINION OF THE COMMITTEE ON REGIONAL DEVELOPMENT

for the Committee on Employment and Social Affairs

on Implementation of the UN Convention on the Rights of Persons with Disabilities with special regard to the Concluding Observations of the UN CPRD Committee (2015/2258(INI))

Rapporteur: Jens Nilsson

SUGGESTIONS

The Committee on Regional Development calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Underlines that Article 7 and Article 96 (7) of the Common Provisions Regulation (CPR)¹ require the Member States and the Commission to ensure that equal opportunities, non-discrimination and inclusion of persons with disabilities are taken into account and promoted in the implementation of the European Structural and Investment Funds (ESI Funds) in general and in the Operational Programmes in particular; requests an integrated approach to address the specific needs of persons with disabilities; calls therefore on the Commission to monitor closely the application of the general ex-ante conditionalities on anti-discrimination and disability; stresses that their evaluation should appraise the adequacy of planned measures to promote equal opportunities between men and women and the integration of persons with disabilities, in particular as regards accessibility of funding;
2. Highlights, in view of the shared management system of Cohesion Policy implementation, the need for effective multilevel governance and coordination of measures in the fight against discrimination; urges the European Union to consider the establishment of an inter-institutional coordination mechanism; stresses that this mechanism should build capacity and share good practices among the different European institutions and Member States regarding disability-inclusive and accessible human aid, meaningful consultation and participation of persons with disabilities and the organisations representing them;
3. Emphasises that persons with disabilities face a variety of challenges in fulfilling their rights, especially in the areas of employment, housing and mobility; stresses that they

¹ OJ L 347, 20.12.2013, p. 320.

make a valuable contribution to society as a whole, including as successful entrepreneurs who often run small businesses, and that this enriching contribution can be even greater if the (working and entrepreneurial) environment is properly adapted, for which ESI Funds are needed; urges therefore the EU to determine and communicate how many people with disabilities are employed and self-employed; recalls that according to the European Disability Strategy 2010-2020 one in six people in the EU has a disability, over a third of people aged over 75 have disabilities and/or functional limitations that restrict them to some extent, over 20 % are considerably restricted, and that furthermore, these numbers are set to rise as the EU's population ages;

4. Strongly recommends that the Member States as well as regional and local authorities strengthen their efforts in the area of full equality, prevention of discrimination and exclusion of persons with disabilities, such as equal access to health care for every person suffering from all types of disabilities, including persons in need of high-quality support and services; requests an evaluation of Directive 2011/24/EU on the application of patients' rights in cross-border health care as regards access for persons with disabilities, equal access to housing, transport, products and services, as well as to inclusive quality (vocational) education and employment, while increasing the overall awareness of the different disabilities and the corresponding needs;
5. Calls on the Commission to cooperate closely with Parliament regarding the areas of concern raised by the UN Committee on the Rights of Persons with Disabilities in its 'Concluding observations on the initial report of the European Union'¹; believes that the EU institutions should be a role model concerning the interpretation of the Convention; calls for a comprehensive campaign to raise awareness in the society about the UNCRPD and to combat prejudice against persons with disabilities; invites those Member States that have not ratified the UNCRPD Convention to do so as soon as possible; requests the Commission to discuss the draft report on the implementation of the Convention with Parliament at the earliest possible convenience;
6. Is of the opinion that ESI funding, in particular the European Social Fund, should be used to tackle the crucial challenge of poverty and exclusion of people with disabilities, to support integration and deinstitutionalisation in a balanced way, while avoiding proliferation of institutions; in this context, calls for national plans for deinstitutionalisation to include specific targets for the establishment of community-based care, provided by adequately qualified and trained people allowing disabled people to have access to the same range of options as everyone else with regard to where they live and receive the support they may need;
7. Urges policy makers at local, regional, national and EU level to ensure efficient monitoring of the implementation of the provisions aimed at non-discrimination, as well as the accessibility and use of ESI funding to support equal access to all services, including the internet, for persons with disabilities and equal and sufficient living arrangements in local communities in all areas (e.g. rural and sparsely populated areas and urban areas), as well as to institutions taking care of them; notes nevertheless that social policies and their financing primarily remain the responsibility of Member States;

¹ United Nations, Convention on the Rights of Persons with Disabilities, Committee on the Rights of Persons with Disabilities, Concluding observations on the initial report of the European Union, 4 September 2015 (CRPD/C/EU/CO/1).

8. Favours proactive measures to support the employment of persons with disabilities and to adapt comprehensive recruitment policies; encourages national, regional and local public institutions to set an example, by refraining from cuts on disability-related benefits, strengthening vocational training and effective enforcement of the implementation of the quota for persons with disabilities, by offering tax incentives for employers; considers it necessary to guarantee a barrier-free accessibility of infrastructure, and of all modes of public transport for persons with disabilities; calls furthermore for the establishment of plans for the removal of architectural barriers for the use of buildings and public spaces when planning actions co-funded with ESI Funds;
9. Calls on the Commission to monitor closely whether the principle of non-discrimination and the related legislation is respected when ESI Funds are used; underlines that bodies responsible for promoting social inclusion and non-discrimination, including organisations of persons with disabilities, need to be involved in the partnership during the programming and implementation phase of the Operational Programmes, to ensure that the interests and concerns of persons with disabilities are effectively taken into account; urges the use of ESI Funds to respect minimum standards regarding accessibility, mobility and housing for persons with disabilities, and notes that this entails an important and challenging task, especially for the local and regional authorities;
10. Is of the opinion that for people with disabilities digital instruments should be developed to help the integration of sportsmen and sportswomen with disabilities, as well as platforms for work at distance, for hot-desking and co-working; believes in addition that quality teaching and sports infrastructure in schools should be adapted to the needs of children with disabilities and that in each Member State a national and regional strategic policy framework should be in place for lifelong learning, containing concrete measures for the development of skills for persons with disabilities;
11. Recalls that there is no hierarchy of human rights and that disability-based discrimination must be tackled in the same way as discrimination on other grounds, including discrimination on more than one ground; calls therefore on all actors involved to pay particular attention to the needs of everyone including refugees, with intellectual and psychosocial disabilities, people with autism spectrum disorders and older persons with disabilities.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	17.3.2016
Result of final vote	+: 35 -: 1 0: 0
Members present for the final vote	Pascal Arimont, Franc Bogovič, Andrea Cozzolino, Rosa D'Amato, Krzysztof Hetman, Ivan Jakovčić, Marc Joulaud, Sławomir Kłosowski, Andrew Lewer, Louis-Joseph Manscour, Jens Nilsson, Andrey Novakov, Younous Omarjee, Mirosław Piotrowski, Stanislav Polčák, Terry Reintke, Liliana Rodrigues, Fernando Ruas, Monika Smolková, Maria Spyrali, Ramón Luis Valcárcel Siso, Lambert van Nistelrooij, Derek Vaughan, Kerstin Westphal, Joachim Zeller
Substitutes present for the final vote	Isabella Adinolfi, Viorica Dăncilă, Elena Gentile, Iliana Iotova, Dimitrios Papadimoulis, Bronis Ropé, Remo Sernagiotto
Substitutes under Rule 200(2) present for the final vote	Louis Aliot, Sergio Gutiérrez Prieto, Gesine Meissner, Georgi Pirinski

21.4.2016

OPINION OF THE COMMITTEE ON CULTURE AND EDUCATION

for the Committee on Employment and Social Affairs

on the implementation of the UN Convention on the Rights of Persons with Disabilities with special regard to the Concluding Observations of the UN CRPD Committee (2015/2258(INI))

Rapporteur: Silvia Costa

SUGGESTIONS

The Committee on Culture and Education calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Recalls that independence, integration and access to an inclusive education and training system, civic and cultural life, leisure and sport are rights guaranteed by Articles 19, 24 and 30 of the UN Convention on the Rights of Persons with Disabilities (CRPD); recalling that these rights are protected under EU law, in particular in Article 21 of the Charter of Fundamental Rights which prohibits discrimination on the grounds of disability and on the basis of the principle of full and effective participation, including democratic participation and inclusion in society of persons with disabilities (Article 3 of CRPD); asks the Commission and the Member States therefore to reinforce measures aimed at ensuring that persons with disabilities have effective and equal access not only to key areas such as inclusive, quality education, culture and sport, but also to extracurricular activities, such as theatre, languages and arts; asks the Commission to include disability-specific indicators in the Europe 2020 strategy when pursuing the education and training targets;
2. Calls on the Member States to ensure that education and training are organised to include children and adults with physical or intellectual disabilities, while also providing counselling, assistance and individual instruction; notes that such initiatives are eligible for support from the Structural Funds, the European Fund for Strategic Investments and the Erasmus+ Programme;
3. Recalls the draft General Comment by the UN CRDP Committee on Article 24 ('the Right to Inclusive Education'), which details its normative content, the obligations of states, its

relation with other provisions of the convention, and its implementation at the national level;

4. Recalls that the programmes targeted at young people should take a special interest in young people with disabilities;
5. Recalls that persons with disabilities are often excluded or do not have effective access to education and training services where tailored education processes that take into account their level of disability are needed to help them reach their full social, economic and educative potential; stresses that the necessary measures should be taken to ensure that all students with disabilities receive the reasonable accommodation needed to enjoy their right to inclusive quality education; encourages the Member States and responsible devolved regional and local governments to strengthen training programmes and continuous professional development opportunities for all relevant stakeholders involved in non-formal and informal learning settings, as well as their access to ICT infrastructures in order to support their work with learners with disabilities and to combat prejudice against persons with disabilities, especially persons with psychosocial and intellectual disabilities;
6. Recalls that sport is an extremely valuable tool in the context of social inclusion as it provides opportunities for interaction and the attainment of social skills; calls on the Commission and Member States, pursuant to Article 30 of the United Nations Convention on the Rights of Persons with Disabilities, to launch specific programmes aimed at making sports activities and sports events more accessible for persons with disabilities; notes that the right to have full access to cultural performances or recreational activities are basic rights and calls therefore on the Commission to improve the accessibility to such events, venues, goods and services, including in the audiovisual field; welcomes the initiatives to provide audiovisual and other works with suitable subtitles or audio description so as to make them accessible to people with disabilities;
7. Recommends European schools to implement a non-rejection policy on the grounds of disability and urges the Commission to improve and ideally to guarantee the access for all children with disabilities to inclusive and quality education in European schools; recommends the development of individual education plans to be defined at the start of the school year and agreed by schools, families and national authorities; calls on the Member States and the Commission to facilitate the recognition of qualifications for students with disabilities enrolled in European schools;
8. Calls on the Commission and the Member States to adopt effective measures in order to tackle segregation and rejection of students with disabilities in schools and learning environment and to give them access to reasonable accommodation and the support they need, so as to facilitate the learner in attaining his or her full potential; highlights that equal opportunities can only be achieved if the right to inclusive education and training is granted at all levels and types of education and training, including lifelong learning, and therefore the recognition of qualifications for persons with disabilities is guaranteed, in particular those acquired thanks to supportive learning environments where persons with disabilities can specifically learn competences and skills to overcome disabilities; points out the technical and financial shortcomings of the special education programmes, particularly in the Member States affected by the crisis, and calls on the Commission to

examine how to improve matters;

9. Notices the progress that has been achieved in the regulation of student exchange programmes, in particular Erasmus+ programme, by including supplementary financial support for the mobility of students and staff with disabilities and insists that it is necessary to continue making specific provisions throughout all aspects of the programme; acknowledges that in practice disabled students still face numerous barriers (attitudinal, communication, architectural, information barriers, etc.); calls on the Commission and the Member States to increase their commitment in favour of the participation of persons with disabilities in the EU exchange programmes and to improve the visibility and transparency of mobility opportunities; calls furthermore on the Commission to promote the exchange of best practices regarding access to exchange programmes for students and teachers with disabilities;
10. Recalls that the MEDIA sub-programme of Creative Europe should pay special attention to projects including the issue of disabilities, and that the educational power of films and festivals in this regard should be emphasised;
11. Supports initiatives aimed at making society aware of the difficulties experienced by persons with disabilities and at making persons with disabilities more aware of their potential and the contributions they can make, among other things, through specific educational programmes in schools; stresses that the importance of UN CRPD fundamentally lies in bringing about a change in cultural attitudes by recognising that obstacles in the social and economic environments are what disable people rather than the disability in the person;
12. Calls on the Commission to adopt effective measures to prevent violence against children with disabilities which target families, communities, professionals and institutions; notes that schools play a crucial role in promoting social inclusion and stresses the need for proper mechanisms that enable inclusion in mainstream schools and that ensure that educators and teachers are properly prepared and trained to recognise and react to violence against children with disabilities;
13. Calls for education systems to refrain from creating environments that give learners labels such as banding and streaming, as this negatively affects students with disabilities, especially those with learning difficulties;
14. Recalls that children with disabilities and their families must be supported through early intervention measures, adequate social assistance and appropriate community-based services;
15. Calls on the Commission to mainstream a women and girls with disabilities perspective in its forthcoming gender equality strategy, policies and programmes and urges Member States and the Commission to incorporate the gender perspective in educational and training programmes and services to ensure disability-inclusive education and development and to strengthen the meaningful participation of women with disabilities in the disability dialogue; notes also that persons with disabilities who belong to ethnic, linguistic or religious minorities are often particularly vulnerable since they are exposed to multiple discrimination;

16. Stresses that persons with disabilities need to have access to information and communication in accessible formats and technologies appropriate to different kinds of disabilities, including sign languages, Braille, augmentative and alternative communication and other accessible means, modes, formats of communication of their choice, including easy-to-read formats and subtitling; calls therefore on the Commission to take the necessary measures to enforce the implementation of its legislation on access to information and communication; urges the Council to adopt without further delay the Decision on the conclusion of the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or otherwise Print Disabled; calls on the Council and the Member States to implement consistent and effective measures in line with its provisions;
17. Notes that post-2018 youth strategies should mainstream the needs of young persons with disabilities;
18. Insists on the importance of digital systems for persons with disabilities as a tool to facilitate their participation in all aspects of society, and recommends continuing to investigate the use of assisting ambient technologies in education; recognises that a disproportionate number of persons with disabilities are not currently online, that they are left out of digital developments and as such, are missing out on information, opportunities, learning new skills, and accessing important services; calls therefore on the legislators at national and EU level to include accessibility provisions when implementing digital single market legislation, to mainstream the issue of digital content accessibility in all relevant policies, to initiate training programmes for ‘Digital Champions’ within communities to encourage more persons with disabilities to go online and to take the necessary measures to fight cybercrime and cyberbullying; calls on the Commission and the Member States to ensure that intellectual property rights do not pose an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials and to consider a mandatory exception to copyright in cases of uses, for the benefit of persons with disabilities, which are directly related to the disability and of a non-commercial nature, to the extent required by the specific disability; calls for a cross-cutting approach to the human rights of persons with disabilities to be applied in all EU policies;
19. Calls on the Commission to continue working on the inclusion of persons with disabilities through financial support for a range of grassroots projects and organisations;
20. Asks the Commission to launch a campaign to raise awareness about the CRPD, which focuses on the exchange of good practices, in cooperation with organisations for persons with disabilities and urges furthermore that all materials related to capacity-building, training and awareness raising be made available in accessible formats; reminds all EU institutions and bodies of the importance of ensuring that their information portals are fully accessible to all persons with disabilities;
21. Emphasises the need for setting up a structured dialogue between the Commission, persons with disabilities and their representative organisations in order to achieve their active involvement in the development and implementation of the future education and training policies, as well as in culture, sports and youth activities to achieve the goal of “nothing about us without us”; calls on public authorities at all levels to encourage and guarantee the participation of persons with disabilities in the making of policies and

programmes that affect them;

22. Strongly believes that an effective cross-cutting and comprehensive review of EU legislation should take place as soon as possible to fully harmonise it with the UN CRPD provisions, implementing a democratic and participatory process aimed at ensuring a direct and full involvement of representative organisations of persons with disabilities;
23. Reminds all EU institutions and bodies of the importance of ensuring that competitions, training, refresher courses, traineeships and work experience are available to young people and workers with disabilities through the appropriate channels and with technological backup where necessary;
24. Emphasises the importance of systematic and close consultation between representative organisations of persons with disabilities, policymakers, business and other relevant stakeholders in relation to all new initiatives, implementation, monitoring and evaluation of policies and actions related to education, training, culture, sport and youth;
25. Calls on the EU to ratify the Optional Protocol to the UN CRPD recalling the favourable 2008 Commission proposal approved by Parliament in its legislative resolution adopted in 2009 and highlights that so far a large majority of EU Member States have signed and ratified it;
26. Acknowledges that in order to develop adequate policies to ensure inclusive education for all persons with disabilities in the EU, there is a need for comparable and consistent EU data; calls therefore on the Commission and the Member States to strengthen their efforts to collect reliable statistical data on the participation of persons with disabilities in the different levels and types of education and training, on their participation in mobility programmes and on the number of persons with disabilities which are early school leavers.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	19.4.2016
Result of final vote	+: 25 -: 0 0: 0
Members present for the final vote	Isabella Adinolfi, Dominique Bilde, Andrea Bocskor, Nikolaos Chountis, Mircea Diaconu, Angel Dzhambazki, Jill Evans, María Teresa Giménez Barbat, Petra Kammerevert, Svetoslav Hristov Malinov, Stefano Maullu, Luigi Morgano, Momchil Nekov, Michaela Šojdrová, Yana Toom, Helga Trüpel, Sabine Verheyen, Julie Ward, Bogdan Brunon Wenta, Bogdan Andrzej Zdrojewski, Milan Zver, Krystyna Łybacka
Substitutes present for the final vote	Mary Honeyball, Dietmar Köster, Zdzisław Krasnodębski

24.5.2016

OPINION OF THE COMMITTEE ON LEGAL AFFAIRS

for the Committee on Employment and Social Affairs

on the implementation of the UN Convention on the Rights of Persons with Disabilities with special regard to the Concluding Observations of the UN CRPD Committee (2015/2258(INI))

Rapporteur: Heidi Hautala

SUGGESTIONS

The Committee on Legal Affairs calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

- A. whereas the UN Convention on the Rights of Persons with Disabilities (CRPD) is the first international human rights treaty ratified by the EU;
 - B. whereas the EU has, for the first time, been monitored by a UN body in the fulfilment of its international obligations on human rights; whereas the Concluding Observations of the CRPD Committee published in 2015 regarding implementation of the Convention in the EU sent a strong message regarding the EU's commitment to equality and respect for human rights;
 - C. whereas the CRPD is a joint agreement and, while certain areas fall within the remit of the EU, the Member States are also required to implement the CRPD in full at national level;
 - D. whereas the broad range of recommendations from the CRPD Committee provides a set of guidelines for legislative and policy-making measures falling within the remit of the EU;
 - E. whereas a number of Member States that have ratified the CRPD have yet to establish or designate bodies to implement and monitor the Convention pursuant to Article 33 thereof; whereas those already established are being hampered in the accomplishment of their tasks, especially with regard to monitoring under Article 33(2), by a lack of funding and manpower and the absence of a sound legal basis for their designation;
1. Recognises the utmost importance of an effective individual complaints mechanism for the protection of rights encompassed in the Convention; calls, in this connection, on the Council to ratify the Optional Protocol without further delay;

2. Attaches the utmost importance to Article 33 of the CRPD ('National implementation and monitoring') and to paragraphs 76 and 77 of the UN Committee's Concluding Observations; welcomes therefore the acceptance by the UN Committee of European Parliament participation in independent monitoring;
3. Calls on the Commission to make a sweeping evaluation or review of EU legislation and funding programmes without delay in order to ensure that it fully complies with the CRPD, and to propose amendments to the legislation where necessary, with the constructive involvement of disability organisations and members of the EU CRPD Framework and setting out clear reform objectives and deadlines; stresses the need, in this respect, to adopt a comprehensive EU strategy on the CRPD, including a timeframe, benchmarks and deadlines;
4. Calls on the Commission, in the light of the Concluding Observations, to propose a regular update of the declaration of competence, with the formal involvement of disability organisations and the European Parliament;
5. Calls on the Member States to assign sufficient funding and manpower to task fulfilment within the supervisory frameworks established under Article 33(2) of the CRPD, guaranteeing their independence and ensuring that their composition and modus operandi take into account the Paris Principles regarding the functioning of national human rights institutions in line with Article 33(2) of the CRPD and that they are underpinned by the establishment of a formal legal basis clearly defining their remit;
6. Calls on the Commission to cooperate closely with other EU institutions, bodies and agencies and with the Member States, so as to coordinate effectively and consistently action taken in line with the Concluding Observations; calls for the necessary arrangements to form part of a CRPD implementation strategy;
7. Calls on the EU and the Member States to ensure consultation and the systematic and structured involvement of organisations representing those with disabilities when implementing their respective final observations;
8. Urges the European Parliament to strengthen the internal mechanism established to coordinate the implementation of the CRPD (UNCRPD network) so that it becomes a mechanism for the monitoring and implementation of the Convention, encompassing all parliamentary committees, with the constructive involvement of disability organisations;
9. Is concerned about the difficulties that persons with disabilities still face in accessing justice; recalls that the right to access to justice is a core fundamental right and an essential component of the rule of law; calls on Member States to take action in order to provide full procedural accommodation and to adjust procedures for such persons; considers that the Commission should consider including specific training programmes on the CRPD in the 2014-2020 EU Justice Programme; suggests that EU courts should apply their internal rules and instructions in a way that facilitates access to justice for persons with disabilities, and that the General Recommendations of the CRPD Committee should also be taken into account in the administration of justice;
10. Reiterates the importance of exceptions and limitations to copyright and related rights being available to persons with disabilities; notes the conclusion of the Marrakesh Treaty

to facilitate access to works published by the blind or visually impaired, and reiterates its conviction that the EU is competent to conclude this treaty without ratification being conditional upon revision of the EU legal framework or the timing of a ruling by the Court of Justice; stresses also in this respect the need for Parliament, the Commission and the Member States to work together to ensure swift ratification of the Marrakesh Treaty;

11. Emphasises that any legislative change in the field of copyright and related rights should provide persons with disabilities access to works and services protected by those rights in any format; recalls that the Commission is due to submit legislative proposals on exceptions and limitations to copyright and related rights in order to ensure that persons with different disabilities have access to works and services protected by those rights;
12. Regrets that the Council did not accept the inclusion of documents relating to disability within the scope of the Regulation on promoting the free movement of citizens and businesses by simplifying the acceptance of certain public documents in the EU;
13. Expresses its concern at the recent Council proposals to significantly reduce the scope of the EU Directive on the accessibility of public sector websites; fears that the exemptions proposed by the Council will not be sufficient to ensure that the 80 million people with disabilities and 150 million elderly people in the EU enjoy equal access to the digital single market and on-line public services for EU citizens, thereby infringing the right to equal access to information enshrined in the CRPD;
14. Reiterates the need for Member States and the Commission to take concrete steps to combat all forms of direct or indirect discrimination on the grounds of disability;
15. Calls for urgent measures to unfreeze the European anti-discrimination directive, concerning which no progress has been made in Council since 2008;
16. Recognises the multiple ways in which the Hague Convention on the International Protection of Adults can functionally assist in implementing and supporting the international obligations of the parties to the CRPD; regrets, in this connection, the Commission's failure to follow up Parliament's resolution of 18 December 2008 with recommendations to the Commission on cross-border implications of the legal protection of adults;
17. Welcomes the publication by the Commission of the European Accessibility Act on 2 December 2015; recalls the need for a comprehensive approach to accessibility and for measures to guarantee that those with any type of disability enjoy this right in accordance with Article 9 of the CRPD;
18. Calls on the EU institutions to review their internal staff regulations and implementing rules with a view to ensuring the recruitment of more staff members and trainees with disabilities, making the necessary adjustments to ensure that staff members who have disabilities or dependent family members with disabilities receive the same opportunities as other staff members regarding enjoyment of their rights;
19. Calls on the Commission to review the EU institutions joint sickness and insurance scheme so as to ensure that disability-related health needs are fully covered in line with the Convention.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	24.5.2016
Result of final vote	+: 22 -: 0 0: 0
Members present for the final vote	Max Andersson, Marie-Christine Boutonnet, Jean-Marie Cavada, Therese Comodini Cachia, Mady Delvaux, Rosa Estaràs Ferragut, Laura Ferrara, Enrico Gasbarra, Lidia Joanna Geringer de Oedenberg, Sajjad Karim, Dietmar Köster, Gilles Lebreton, Jiří Maštálka, Emil Radev, Julia Reda, Evelyn Regner, József Szájer, Axel Voss, Tadeusz Zwiefka
Substitutes present for the final vote	Daniel Buda, Angel Dzhambazki
Substitutes under Rule 200(2) present for the final vote	Jens Nilsson

25.4.2016

OPINION OF THE COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY

for the Committee on Employment and Social Affairs

on the implementation of the UN Convention on the Rights of Persons with Disabilities with special regard to the Concluding Observations of the UN CRPD Committee (2015/2258(INI))

Rapporteur: Rosa Estaràs Ferragut

SUGGESTIONS

The Committee on Women's Rights and Gender Equality calls on the Committee on Employment and Social Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

- A. whereas there are an estimated 80 million people with disabilities in the European Union, of whom women and girls count for approximately 46 million, comprising about 16 % of the total female population of the EU, making the prevalence of disability in the European Union higher among women than among men; whereas women with disabilities are frequently victims of multiple discrimination, facing substantial obstacles in realising their basic rights and freedoms such as the right to access education and employment, which can lead to social isolation and psychological trauma; whereas women are also disproportionately affected by disability as carers of family members with disabilities;
- B. whereas in the UN Convention on the Rights of Persons with Disabilities it is recognised that girls and women with disabilities are at greater risk, both within and outside the home, of violence, injury and abuse, neglect and negligent treatment, ill-treatment and exploitation;
- C. whereas the UN Convention on the Rights of Persons with Disabilities stresses the need to incorporate a gender perspective into all efforts and to promote the full enjoyment of human rights and fundamental freedoms;
- D. whereas equal treatment and positive measures and policies for women with disabilities and mothers of children with disabilities is a fundamental human right and an ethical obligation;

- E. whereas nearly 80 % of women with disabilities are victims of psychological and physical violence, and whereas the risk of sexual violence is greater for them than for other women; whereas women and girls with disabilities are exposed to multiple discrimination;
- F. whereas women and girls with disabilities are more likely to become victims of gender-based violence, especially of domestic violence and sexual exploitation, and estimates show that women with disabilities are 1.5 to 10 times more likely to be abused than non-disabled women;
- G. whereas, because of demographic and societal changes, there is increased demand for domestic workers and carers, and in particular for family domestic workers and carers; whereas care of disabled and dependent people is usually carried out by women of the family, often leading to exclusion from the labour market;
- H. whereas women with disabilities, especially migrants, are at greater risk of poverty and social exclusion because of multiple discrimination;
- I. whereas the employment rate for women without disabilities is 65 %, compared with 44 % for women with disabilities; whereas women with disabilities are often discriminated against by comparison with men with disabilities when it comes to access to employment and education; whereas the high rate of unemployment among people with disabilities remains unacceptable; whereas women and girls with disabilities encounter greater difficulties in entering the labour market; whereas barriers to mobility and higher dependence on family members and carers need to be overcome in order to encourage active participation by women with disabilities in education, the labour market and the social and economic life of the community;
- J. whereas paid employment is crucial to enabling people with disabilities to have an independent life and support their family and household; whereas women and girls with disabilities often face underpayment; whereas this vulnerable group of people is more likely to suffer poverty and is at a greater risk of social exclusion;
- K. whereas the economic crisis, the austerity measures and the cuts imposed in social services and health care in most EU Member States have led to detrimental consequences for vulnerable groups in the EU population, especially for people with disabilities and their families, who are disproportionately affected by austerity measures, and in particular for women and girls with disabilities;
- L. whereas children with disabilities face significant barriers to enjoying their fundamental rights;
- M. whereas children with disabilities are often excluded from society, sometimes living in institutions or other facilities far from their families;
- N. whereas children with disabilities have the right to live in families or in a family environment and to expect that the relevant state institutions will act in the best interests of children and their families;
- O. whereas children with disabilities are less likely to attend school, thus experiencing limited opportunities for human capital formation and facing reduced employment

opportunities and decreased productivity in adulthood;

- P. whereas people with disabilities are more likely to be unemployed, and generally earn less even when employed; whereas both employment and income outcomes appear to worsen with the severity of the disability;
- Q. whereas people with disabilities may have extra costs resulting from disability – such as costs associated with medical care or assistive devices, or the need for personal support and assistance – and thus often require more resources to achieve the same outcomes as non-disabled people;
- R. whereas the Committee on the Rights of Persons with Disability in its Concluding Observations on the initial report of the European Union recommends that the European Union mainstream the disability perspective in its gender policies and programmes, as well as the gender perspective in its disability strategies, and that it develop affirmative actions, establish a monitoring mechanism and funding data collection and research on women and girls with disabilities; whereas it further recommends that the European Union provide effective protection from violence, abuse and exploitation, that the work-life balance policy address the needs of children and adults with disabilities, including their carers, and that measures are undertaken to decrease the high unemployment rates of people with disabilities, the majority of whom are women;
1. Endorses the conclusions and recommendations of the Committee on the Rights of Persons with Disabilities and stresses the need for the EU Institutions and the Member States to incorporate the perspective of women and girls with disabilities into their policies, programmes and strategies on gender equality, and gender mainstreaming in their strategies on disability; calls, further, for mechanisms to be put in place for a regular review of the progress made;
 2. Regrets that the European Disability Strategy 2010-2020 does not include an integrated gender perspective or a separate chapter on gender-specific disability policies, despite the fact that women with disabilities often find they are at a greater disadvantage than men with disabilities and are more often at risk of poverty and social exclusion;
 3. Is concerned that the Commission's Strategic engagement for gender equality 2016-2019 fails to address disability, and urges the Commission to tackle this shortcoming by including women with disabilities and women carers in its policies and programmes;
 4. Calls on the Member States to apply the gender mainstreaming approach in policies and measures for women, men, girls and boys with disabilities and in their implementation in all areas, especially in terms of integration in the workplace, education and anti-discrimination;
 5. Attaches the highest importance to Article 33 of the Convention on the Rights of Persons with Disabilities – CRPD – ('National implementation and monitoring') and to the United Nations Committee's concluding observations 76 and 77, and accordingly welcomes the approval given by the United Nations Committee to the European Parliament's presence in the independent monitoring framework;
 6. Urges the Commission and the Member States to develop adequate policies and apply

measures to a full range of policy areas, fostering independent living and full inclusion; calls on the Commission, therefore, to collect and disseminate updated statistical data on disability, disaggregated by age and gender, in order to monitor the situation of people with disabilities in the EU;

7. Calls on the Commission to ensure that all people with disabilities can enjoy the right to free movement held by all EU citizens by including in current and future legislation the guarantee of equal opportunities, fundamental rights, equal access to services and the employment market, and the same rights and obligations in accessing social security as nationals of the Member State in which they are covered, in line with the principle of equal treatment and non-discrimination; furthermore, in terms of equality in employment, calls on the Member States to comply fully with the provisions of the EU Gender Equality Recast Directive (2006/54/EC);
8. Highlights the need to support disabled migrant women and girls in order to develop skills that would give them opportunities to obtain suitable employment;
9. Considers that people with disabilities, especially women and girls, must be allowed to enjoy their sexuality as freely as people without impairments, and considers that women with disabilities must be able to live as women without disabilities do and fulfil their wish either to have or not to have children;
10. Stresses that girls and women with disabilities should have access to full sexual and reproductive rights and to education on sexuality given by professionals who are experts in the field; considers it crucial, therefore, for women and girls with disabilities to have full access to medical care that meets their particular needs, including gynaecological consultations, medical examinations, family planning, and support adapted to their needs during pregnancy; calls on the Member States to ensure that their national public healthcare provision includes proper access to these services;
11. Reconfirms its view that the need to provide specialised support, including childcare assistance, to women and men with disabilities, together with their families, must be addressed in order to enable them to enjoy motherhood and fatherhood to the full;
12. Stresses that in order to achieve autonomous and independent living for people with disabilities, especially for women, (personal or public) assistance is a means that would support them and their families, enabling them to access workplace, educational and vocational training institutions, and supporting them in the event of pregnancy and motherhood;
13. Reiterates the urgent need to address the issue of violence against women and girls with disabilities in private and institutional environments, and calls on the Member States to provide support services that are accessible to women and girls with all types of disabilities; advises the EU to become a party to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) as a further step in combating violence against women and girls with disabilities;
14. Notes with concern that women and girls with disabilities, in particular victims of multiple discrimination, are at higher risk from gender-based violence, including sexual violence

and/or sexual exploitation, both domestically and in institutional settings; underlines the need for the Member States to introduce or strengthen legislation to protect the rights of women and girls with disabilities in cases of such gender-based violence and to support their recovery;

15. Recalls the role of the media in the representation of women and girls, as well as of disability, and notes that a lack of visibility or a proliferation of stereotypes can perpetuate prejudice, violence and exclusion; calls on all the European Institutions to initiate and support campaigns to raise awareness of the Convention on the Rights of Persons with Disabilities and to combat prejudice, discrimination and hate-crime against people with disabilities, including women and girls; believes that the media should, besides increasing their visibility, strive to project a positive image of women and girls with disabilities;
16. Recalls the importance of the fundamental right to participation by people with disabilities in policy processes and decision-making on disability at all levels, as underlined by the UN CRPD; emphasises that women and girls with disabilities, including those from marginalised and vulnerable groups facing multiple discrimination, must be enabled and empowered to participate in decision-making processes in order to ensure that their interests and rights are expressed, supported and protected, ensuring a genuine grassroots gender perspective; calls on the Member States to provide adequately adapted services and facilities that would empower their active involvement and participation, and to invest in assistive and adaptive technologies and e-inclusion;
17. Is worried that certain Member States are using European structural and investment funds to promote institutionalisation rather than fostering the development of more inclusive communities in which persons with disabilities can live with proper support; expresses concern that people with disabilities, particularly women, children and the elderly, may suffer violence or ill-treatment, especially in institutional settings;
18. Notes with concern the various forms of exclusion caused by the institutionalisation of people with disabilities and how this discriminatory form of treatment may foster further prejudice and ill-treatment in the institutional settings and on the part of society as a whole;
19. Requests that the use of Structural and Investment Funds be made in a balanced way, encouraging the development of more inclusive communities and of institutionalisation when requested, so that in both cases women and girls, children and young people with disabilities in particular, can receive appropriate support and assistance across the European Union; reiterates that Member States must foster inclusive and empowering communities, allowing proper support in meeting the gender-specific obstacles and discrimination faced by women and girls with disabilities;
20. Is worried by the high rates of unemployment among persons with disabilities, especially among women with disabilities by comparison with other population groups in the European Union; calls on the Member States to foster and ensure a legislative and policy framework for participation of women with disabilities in the labour market, including those with hidden disabilities, chronic conditions or learning disabilities;
21. Highlights the importance of social enterprises and cooperatives in the social and economic inclusion and empowerment of people with disabilities, and of women with

disabilities in particular; calls on the Commission and the Member States to include a strong focus on the social economy in programmes and policies for people with disabilities and on gender mainstreaming;

22. Is concerned that bringing up children with disabilities is a task that falls primarily to women;
23. Stresses the invaluable and financially underappreciated role of women who care for family members with disabilities;
24. Stresses the importance of inclusion of girls with disabilities in mainstream education in all cases where the disability allows for such integration; reiterates the important role of formal, informal, and non-formal education and life-long learning in fostering social inclusion of women and girls with disabilities; highlights the potential of the arts and culture sectors to empower women and girls with disabilities, and to tackle disability-based prejudice and discrimination; notes the need to support inclusive educational programmes that tackle the obstacles faced by people with learning disabilities, and that combat specific stereotypes, discrimination and hate-crime against them;
25. Stresses the importance of ICT for mobility, communication and access to public services; calls, therefore, on the Member States to actively promote the participation of people with disabilities, including in access to online public services;
26. Urges the EU Institutions to review the Staff Regulations, internal regulations and implementing rules in order to adopt comprehensive recruitment policies, including positive measures, to actively increase the number of staff and trainees with disabilities as well as to ensure that all employees of the EU institutions who themselves have disabilities or have dependent family members with disabilities, receive the reasonable accommodation they need in order to enjoy their rights on an equal footing with others; calls, furthermore, on the Commission to revise the EU institutions' Joint Sickness and Insurance Scheme so as to comprehensively cover disability-related health needs in a manner which is compatible with the Convention;
27. Calls on the Commission to ensure inclusive education in the European Schools and, in line with UNCRPD requirements on multidisciplinary assessment of individual needs, the non-exclusion of girls with disabilities, as well as the provision of adequate reasonable accommodation;
28. Urges the European Parliament to strengthen the internal mechanism set up to coordinate the implementation of the UN Convention on the Rights of Persons with Disabilities (UNCRPD Network) so that it becomes an overarching mechanism for the monitoring and implementation of the Convention across all parliamentary committees, with its own staff assigned exclusively to it;
29. Calls for urgent ratification of the Marrakesh Treaty to Facilitate Access to Published Works by Visually Impaired Persons and Persons with Print Disabilities (Marrakesh VIP Treaty), without making the ratification conditional upon the revision of the EU legal framework or upon the timing of the decision of the Court of Justice; calls upon the Commission to introduce the necessary legislative proposals in order to implement the Marrakesh VIP Treaty;

30. Calls for the unblocking as a matter of urgency of the EU anti-discrimination directive, which has not seen any advancement in the Council since 2008, and for the Directive to tackle intersectional gender- and disability-based discrimination specifically;
31. Calls on the Member States to immediately step up their efforts to provide accessible administration and services for people with disabilities on an equal basis with others; underlines that independent living, social inclusion and participation of women and girls with disabilities can only be achieved if the remaining obstacles are removed; believes further that general information on services for citizens (such as information on education, employment, social and health care) must be provided in different forms and formats, in a simple and secure way accessible to people with disabilities;
32. Highlights the need for the Council to accelerate the proposal for a directive on the accessibility of public-sector bodies' websites, with the aim of increasing the accessibility of documents, videos and websites and providing alternative means of communication accessible to people with disabilities;
33. Welcomes the publication by the Commission of the proposal for a European Accessibility Act on 2 December 2015; recalls that a comprehensive approach to accessibility is needed and that the right to accessibility as stated in Article 9 of the UNCRPD must be guaranteed to people with all types of disability.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	19.4.2016
Result of final vote	+: 30 -: 1 0: 0
Members present for the final vote	Maria Arena, Catherine Bearder, Beatriz Becerra Basterrechea, Malin Björk, Vilija Blinkevičiūtė, Anna Maria Corazza Bildt, Viorica Dăncilă, Iratxe García Pérez, Anna Hedh, Teresa Jiménez-Becerril Barrio, Elisabeth Köstinger, Agnieszka Kozłowska-Rajewicz, Angelika Mlinar, Maria Noichl, Marijana Petir, Pina Picierno, João Pimenta Lopes, Terry Reintke, Jordi Sebastià, Michaela Šojdrová, Ernest Urteaga, Jadwiga Wiśniewska, Anna Záborská, Jana Žitňanská
Substitutes present for the final vote	Rosa Estaràs Ferragut, Kostadinka Kuneva, Constance Le Grip, Evelyn Regner, Marc Tarabella
Substitutes under Rule 200(2) present for the final vote	Marco Zanni, Julia Reid

RESULT OF FINAL VOTE IN COMMITTEE RESPONSIBLE

Date adopted	30.5.2016
Result of final vote	+: 41 -: 3 0: 0
Members present for the final vote	Laura Agea, Guillaume Balas, Brando Benifei, Mara Bizzotto, David Casa, Ole Christensen, Lampros Fountoulis, Arne Gericke, Czesław Hoc, Danuta Jazłowiecka, Rina Ronja Kari, Jan Keller, Ádám Kósa, Kostadinka Kuneva, Jean Lambert, Javi López, Thomas Mann, Dominique Martin, Anthea McIntyre, João Pimenta Lopes, Georgi Pirinski, Terry Reintke, Sofia Ribeiro, Maria João Rodrigues, Claude Rolin, Anne Sander, Sven Schulze, Michaela Šojdrová, Ulrike Trebesius, Marita Ulvskog
Substitutes present for the final vote	Tania González Peñas, Richard Howitt, Dieter-Lebrecht Koch, Edouard Martin, Tamás Meszerics, Evelyn Regner, Joachim Schuster, Helga Stevens, Flavio Zanonato
Substitutes under Rule 200(2) present for the final vote	Xabier Benito Ziluaga, Rosa D'Amato, Jens Geier, Sylvie Goddyn, Jasenko Selimovic

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

41	+
ALDE	Jasenکو Selimovic
ECR	Arne Gericke, Czesław Hoc, Anthea McIntyre, Helga Stevens, Ulrike Trebesius,
EFDD	Laura Agea, Rosa D'Amato,
GUE/NGL	Xabier Benito Ziluaga, Tania González Peñas, Rina Ronja Kari, Kostadinka Kuneva, João Pimenta Lopes,
ENF	Mara Bizzotto
PPE	David Casa, Danuta Jazłowiecka, Dieter-Lebrecht Koch, Ádám Kósa, Thomas Mann, Sofia Ribeiro, Claude Rolin, Anne Sander, Sven Schulze, Michaela Šojdřová,
S&D	Guillaume Balas, Brando Benifei, Ole Christensen, Jens Geier, Richard Howitt, Jan Keller, Javi López, Edouard Martin, Georgi Pirinski, Evelyn Regner, Maria João Rodrigues, Joachim Schuster, Marita Ulvskog, Flavio Zanonato,
Verts/ALE	Jean Lambert, Tamás Meszerics, Terry Reintke,

3	-
ENF	Sylvie Goddyn, Dominique Martin,
NI	Lampros Fountoulis

0	0

Key to symbols:

+ : in favour

- : against

0 : abstention