



Plenary sitting

A8-0339/2017

30.10.2017

REPORT

on implementation of the European Disability Strategy
(2017/2127(INI))

Committee on Employment and Social Affairs

Rapporteur: Helga Stevens

CONTENTS

	Page
MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION	3
OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND FOOD SAFETY	26
OPINION OF THE COMMITTEE ON CULTURE AND EDUCATION.....	35
POSITION IN THE FORM OF AMENDMENTS OF THE COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY	44
OPINION OF THE COMMITTEE ON PETITIONS	69
INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE	79
FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE.....	80

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on implementation of the European Disability Strategy (2017/2127(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, 25 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 (UNCRPD) 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 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 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 Convention for the Protection of Human Rights and Fundamental Freedoms (European Treaty Series No 5, 1950) and its protocols,
- having regard to the European Social Charter (ETS No 35, 1961, revised 1996; ETS No 163),
- having regard to Council of Europe Recommendation Rec(2002)5 of the Committee of Ministers to Member States on the protection of women against violence, and to Recommendation CM/Rec(2007)17 on gender equality standards and mechanisms,
- having regard to the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) of 18 December 1979 and its Optional Protocol of 6 October 1999,
- 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 Directive 2014/24/EU of the European Parliament and of the Council

¹ OJ L 23, 27.1.2010, p. 35.

² UNCRPD/C/EU/CO/1.

- of 26 February 2014 on public procurement and repealing Directive 2004/18/EC¹,
- 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 Commission 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 new European consensus on development ‘Our world, our dignity, our future’ joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the European Commission and its commitment to take into account the specific needs of persons with disabilities in development cooperation,
 - having regard to the Commission staff working document of 2 February 2017 entitled ‘Progress Report on the implementation of the European Disability Strategy 2010-2020’ (SWD(2017)0029),
 - 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 13 December 2016 on the situation of fundamental rights in the European Union in 2015³,
 - having regard to its resolution of 15 September 2016 on application of Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (‘Employment Equality Directive’)⁴,
 - having regard to its resolution of 7 July 2016 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 Committee⁵,
 - 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 Union⁶,
 - having regard to its resolution of 25 October 2011 on mobility and inclusion of people with disabilities and the European Disability Strategy 2010-2020⁷,
 - having regard to its resolution of 6 May 2009 on the active inclusion of people excluded

¹ OJ L 94, 28.3.2014, p. 65.

² OJ L 303, 2.12.2000, p. 16.

³ Texts adopted, P8_TA(2016)0485.

⁴ Texts adopted, P8_TA(2016)0360.

⁵ Texts adopted, P8_TA(2016)0318.

⁶ OJ C 353, 27.9.2016, p. 41.

⁷ OJ C 131 E, 8.5.2013, p. 9.

from the labour market¹,

- having regard to the European Parliamentary Research Service briefing entitled ‘The European Disability Strategy 2010-2020’,
 - having regard to the study of Parliament’s Directorate-General for Internal Policies of the Union entitled ‘Discrimination Generated by the Intersection of Gender and Disability’,
 - having regard to the 2030 Agenda for Sustainable Development,
 - having regard to the Annual Report 2016 of the European Ombudsman,
 - having regard to the 2016 and 2017 Fundamental Rights Reports of the European Union Agency for Fundamental Rights,
 - having regard to the thematic reports of the European Union Agency for Fundamental Rights,
 - 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 the Council Conclusion on ‘A sustainable European Future: The EU response to the 2030 Agenda for Sustainable Development’ published on 20 June 2017,
 - having regard to the Voluntary European Quality Framework for Social Services (SPC/2010/10/8),
 - having regard to the New Urban Agenda (A/RES/71/256),
 - having regard to the Sendai Framework for Disaster Risk Reduction,
 - having regard to the Council Conclusions on the Gender Action Plan 2016-2020,
 - having regard to the Action Plan on Human Rights and Democracy (2015-2019),
 - having regard to Rule 52 of its Rules of Procedure,
 - having regard to the report of the Committee on Employment and Social Affairs and the opinions of the Committee on the Environment, Public Health and Food Safety, the Committee on Culture and Education, the position in the form of amendments of the Committee on Women’s Rights and Gender Equality and the opinion of the Committee on Petitions (A8-0339/2017),
- A. whereas, as full citizens², all persons with disabilities have equal rights in all fields of life and are entitled to inalienable dignity, equal treatment, independent living, autonomy and full participation in society;

¹ OJ C 212 E, 5.8.2010, p. 23.

² In the context of this report, ‘full citizen’ should be understood within the meaning of the UNCRPD – that all persons with disabilities should have full enjoyment of all human rights.

- B. whereas there are an estimated 80 million persons with disabilities in the European Union, of whom 46 million are women;
- 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 UNCRPD is the first international human rights treaty ratified by the EU and has also been signed by all 28 Member States and ratified by 27; whereas the EU is the world's biggest development aid donor and one of the most influential stakeholders at international level;
- F. whereas the EU is committed to implementing the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs) within the EU and in development cooperation with partner countries;
- G. whereas the UNCRPD states that persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others; highlights, in particular, Article 9 of the UNCRPD;
- H. whereas the case law of the Court of Justice of the European Union reinforces the fact that the UNCRPD is binding on the EU and its Member States when implementing EU law, as it is in instruments of secondary law¹; whereas it is imperative to enforce existing EU law and policy tools in order to maximise the implementation of the UNCRPD;
- I. whereas persons with disabilities represent a diverse group, and whereas women, children, older persons, and individuals with complex support needs, temporary or invisible disabilities face additional barriers and multiple forms of discrimination;
- J. whereas persons with disabilities face additional expenses, lower incomes and higher unemployment; whereas benefits related to disability should be regarded as state support aimed at helping people to remove barriers in order to participate fully in society, including through employment;
- K. 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;
- L. whereas the UNCRPD principles go far beyond discrimination, pointing the way to the

¹ Judgment of the Court of Justice of 11 April 2013, *HK Danmark*, Joined Cases C-335/11 and C-337/11, , ECLI:EU:C:2013:222, paragraphs 29-30; Judgment of the Court of Justice of 18 March 2014, *Z*, C-363/12, ECLI:EU:C:2014:159, paragraph 73; Judgment of the Court of Justice of 22 May 2014, *Glatzel*, C-356/12, , ECLI:EU:C:2014:350, paragraph 68.

full enjoyment of human rights by all persons with disabilities and their families in an inclusive society;

- M. whereas there continues to be new and revised legislation without any reference to the UNCRPD and accessibility; whereas accessibility is a prerequisite for participation; whereas the EU, as a party to the UNCRPD, 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 while respecting diverse concepts of disability;
- N. whereas stereotypes, misconceptions and prejudices are part of the root causes of discrimination, including multiple discrimination, stigma, and inequality;
- O. whereas persons with disabilities often suffer from a lack of support, protection communication and information about health care services and rights, protection against violence, childcare, and have little or no access to such services and information; whereas health service personnel should be properly trained on the specific needs of persons with disabilities;
- P. whereas a considerable proportion of the four million people experiencing homelessness every year have disabilities, having been largely overlooked as a target group of the UNCRPD and the EU Disability Strategy;
- Q. whereas, in spite of the numerous international conventions, EU and national legislation and strategies, persons with disabilities are still not fully participating in society and enjoying their rights; whereas the participation of persons with disabilities can only be achieved if they are included in political and public life, where they are often under-represented, in accordance with Article 29 UNCRPD;
- R. whereas the Commission's progress report shows that there is an obvious delay in the implementation of obligations deriving from the UNCRPD at both EU and Member State level; whereas challenges and gaps remain in the framework of the strategy and a long-term perspective is needed for the alignment of EU policies, laws and programmes with the UNCRPD;
- S. whereas the model of independent living, as underlined by the UNCRPD, safeguards the highest degree of accessibility possible; whereas access to other services such as accessible transport, cultural and leisure activities are also a component of quality living and can contribute to the integration of persons with disabilities;
- T. whereas it is imperative to have inclusive and active labour market access as this is one of the principle means of promoting independence for persons with disabilities; whereas labour market access currently stands at 58.5 % compared with 80.5 % among persons without disabilities, with some groups facing additional discrimination based on the type of disability, whereas the social economy provides numerous employment opportunities for persons with disabilities;
- U. whereas stronger guidelines at European level and adequate resources, as well as training in disability issues could strengthen the effectiveness and independence of equality bodies at national level;

- V. whereas one of the four priorities established by the Commission after the Paris Declaration on promoting citizenship and the common values of freedom, tolerance and non-discrimination through education is that of ‘fostering the education of disadvantaged children and young people, by ensuring that our education and training systems address their needs’;
- W. whereas the overall cost of keeping persons with disabilities out of the labour market is higher than including them in the workplace; whereas this holds especially true for persons with multiple support needs where family members might be forced to become carers;
- X. whereas the number of persons with disabilities in employment might be lower than data indicates, considering many fall into the category of ‘not employable’, or work in the sheltered sector or more protected environments, do not have employee status and are therefore not visible in official data and statistics;
- Y. whereas employers must be supported and encouraged to ensure that persons with disabilities are empowered all the way from education to employment; whereas, to this end, awareness-raising among employers is one way to combat discrimination in the recruitment of persons with disabilities;
- Z. whereas measures in the workplace are crucial for promoting positive mental health, and for preventing mental ill-health and psychosocial disabilities;
- AA. whereas the EU is the largest donor of development aid and has a leading role in disability-inclusive programmes;
- AB. whereas employment discrimination is not a stand-alone issue; whereas discrimination in education, vocational training, housing, and lack of access to transport equal discrimination in employment;
- AC. whereas 75 % of persons with severe disabilities in the EU do not have the opportunity to participate fully in the labour market; whereas underemployment as well as unemployment can be an issue particularly for those with autism spectrum disorders or who are deaf and hard of hearing as well as blind or deafblind;
- AD. whereas the SDGs and the Pillar of Social Rights might be potential vehicles of UNCRPD implementation;
- AE. whereas the lack of legal capacity constitutes a significant barrier to exercising the right to vote, including in European elections;
- AF. whereas 34 % of women with a health problem or a disability have experienced physical or sexual violence committed by a partner in their lifetime;
- AG. whereas Article 168(7) of the TFEU gives Member States the responsibility to define their health policies and deliver health services, demonstrating the vital importance of consulting and engaging with Member States in order for the European Disability Strategy to be successful;

- AH. whereas Article 25 of the UNCRPD reinforces the right of persons with disabilities to enjoy the highest attainable standard of healthcare, without discrimination;
- AI. whereas persons with disabilities are particularly vulnerable to deficiencies in healthcare services, engaging in health risk behaviours and higher rates of premature death;

Key areas for action

Accessibility

1. Recognises the importance of a holistic definition and application of accessibility, and its value as the basis for persons with disabilities to enjoy equal opportunities and genuine social inclusion and participation in society, as recognised in the UNCRPD and in line with UNCRPD General Comment No 2, taking into account the diversity of the needs of persons with disabilities and promoting the steadily growing importance of universal design as a principle of the EU;
2. Reminds the Commission of its obligation to mainstream disability and develop and promote accessibility in all policy areas in both public and private sectors, and recommends setting up units with expertise in accessibility within the hierarchy of the Commission to verify that this duty is being accomplished;
3. Calls on the Commission to set mandatory requirements on the accessibility of public spaces and especially the built environment;
4. Calls on the Member States to fully implement and continuously monitor all accessibility-related legislation, including the Audiovisual Media Services Directive, the Telecoms Package and the Web Accessibility Directive, as well as the relevant transport and passengers' rights regulations; calls for the EU, in this context, to coordinate and monitor the implementation thereof in addition to promoting the ratification of the UNCRPD internally and externally;
5. Hopes that the EU's co-legislators will, without delay, adopt the European Accessibility Act; recommends that, in order to fully implement the UNCRPD, the final text should enhance the accessibility of products and services for persons with disabilities and people with functional limitations; stresses that comprehensive European rules on the accessibility of public spaces and the built environment, as well as on access to all modes of transport, are needed;
6. Is concerned that the monitoring of some pieces of legislation, such as the Web Accessibility Directive¹ or the Regulation on Rail Accessibility (TSI-PRM)², is through self-assessment by industry and the Member States and is not conducted by an independent entity; recommends, therefore, that the Commission improve its assessment of compliance and considers developing monitoring legislation in order to ensure that

¹ Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies, OJ L 327, 2.12.2016, p. 1.

² Commission Regulation (EU) No 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to the accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility, OJ L 356, 12.12.2014, p. 110.

the rights of persons with disabilities are respected, including, for example, in the implementation of Regulation (EC) 261/2004¹;

7. Recalls that the implementation of all accessibility-related obligations require sufficient funding at EU, national and local level; calls on the EU to ensure that all funding programmes are accessible, that they follow a universal design approach and include a separate budget for accessibility; calls on the Member States to boost public investment in order to ensure accessibility for persons with disabilities to both the physical and the digital environment;
8. Calls on the Commission and the Member States to increase accessibility through supporting the development of ICT and by supporting all initiatives, including start-ups operating in the field of safety of persons with disabilities;
9. Favours the study and utilisation of the best practices in relation to independent living in the EU;
10. Calls on the Commission and the Member States to take the necessary measures to ensure that the emergency number 112 is fully accessible to all persons with all types of disabilities, and that all aspects of disaster-risk reduction policies and programmes are inclusive of and accessible to all persons with disabilities;
11. Is concerned that the public procurement ex-ante conditionality of buying accessibly before signing a public contract is not sufficiently implemented at national level; recommends, to this end, to set up a portal, along similar lines to green public procurement, containing all the accessibility guidelines;
12. Strongly recommends making the passenger rights complaints procedures fully accessible and disability-friendly and assigning a greater number of and equally strong enforcement responsibilities to the National Enforcement Bodies (NEBs);
13. Emphasises, in particular, that accessibility is a core principle of the UNCRRPD, and a precondition for the exercise of other rights enshrined in the Convention; underlines that a consistent number of petitions lodged by European citizens complain about the lack of accessibility or the presence of architectural barriers; stresses that the right to accessibility, as defined in Article 9 of the UNCRRPD, must be implemented in a comprehensive manner to ensure that persons with disabilities can access their environment, transportation, public facilities and services, as well as information and communications technologies; calls on the Commission and the Member States to ensure that accessibility is a high priority and that it is better integrated into all disability policy areas;
14. Notes that the Digital Single Market Strategy should be implemented in such a way as to ensure full access to all of its aspects for persons with disabilities;

Participation

¹ Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delays of flights, and repealing Regulation (EEC) No 295/91, OJ L 46, 17.2.2004, p. 1.

15. Welcomes the EU Disability Card project; calls on the Commission, together with the Member States, to include all countries in a future long-term initiative with a view to achieving an identical scope to that of the European parking card and to include access to services allowing participation in cultural life and tourism;
16. Is concerned about the continued use of the medical model of disability that focuses on the medical diagnoses of persons with disabilities rather than the environmental barriers they experience; urges the Commission to initiate the revision of this approach, particularly in the field of data collection; calls on the Member States to look at ways to work towards a common definition of disability;
17. Welcomes the progress made in relation to the Marrakesh Treaty; points out that the Court of Justice of the European Union, in its opinion of 14 February 2017, indicated that the EU has exclusive competence with regard to the conclusion of the Marrakesh Treaty, as the body of the obligations of the Marrakesh Treaty falls within an area that is already covered to a large extent by common EU rules; recommends that the EU and the Member States establish an action plan to ensure it is fully implemented; calls on the EU not to ratify the option concerning the economic burden;
18. Is of the opinion that the European Structural and Investment Funds must, particularly in the next programming period, adhere to the UNCRPD and should continue to foster deinstitutionalisation as a matter of priority and that they should, moreover, finance support services to enable persons with disabilities to realise the right to live independently in the community; believes that the Commission should closely monitor the implementation by Member States of the ex ante conditionalities on the transition from institutional to community-based services, which must be concrete and quality-assessed in an ongoing and transparent manner; believes that EU funded project proposals, including those in the framework of the European Fund for Strategic Investments and European Investment Bank lending should respect accessibility rules following a universal design approach; considers that financial instruments alone cannot be relied on to achieve these objectives;
19. Emphasises that there is a need to ensure free access to communication that is adapted to suit the type of disability, and emphasises that this is vitally important when it comes to the civic participation of persons with disabilities;
20. Is concerned by the barriers to participation that persons under guardianship and those living in institutions face across Europe and calls on the Commission to ensure that persons deprived of their legal capacity can exercise all the rights enshrined in European Union treaties and legislation; calls on the Member States to foster participation by accelerating the deinstitutionalisation process and the replacement of substitute decision-making by supported decision-making;
21. Calls on the Commission, as part of its series of regular reports on the implementation of Council Directives 93/109/EC¹ and 94/80/EC² to include an assessment of whether

¹ Council Directive 93/109/EC of 6 December 1993 laying down detailed arrangements for the exercise of the right to vote and stand as a candidate in elections to the European Parliament for citizens of the Union residing in a Member State of which they are not nationals, OJ L 329, 30.12.1993, p. 34.

² Council Directive 94/80/EC of 19 December 1994 laying down detailed arrangements for the exercise of the

they are being interpreted in a manner consistent with Article 29 of the UNCRPD;

22. Highlights the fact that women and girls with disabilities suffer from double discrimination due to the intersection of gender and disability, and may even be exposed to multiple discrimination arising from the intersection of gender and disability with sexual orientation, age, religion or ethnicity in many instances;
23. Reiterates that women with disabilities are often at a greater disadvantage than their male counterparts and are more often at risk of poverty and social exclusion;
24. Considers that the European Institute for Gender Equality should provide guidance at European and Member State level concerning the specific situation of women and girls with disabilities, and should play an active role in advocacy work to secure equal rights and combat discrimination;
25. Recalls that combating poverty and social exclusion among persons with disabilities is closely linked to the issue of improving conditions for family members who often act as unpaid carers and are not considered employed persons; encourages the Member States, therefore, to present national support strategies for informal carers, who are mostly female relatives of persons with disabilities;
26. Underlines that the number of elderly people is on the increase and that, according to the WHO, disability prevalence is higher among women, who are particularly affected by this phenomenon owing to their longer life expectancy; stresses that, therefore, there will be a proportionate increase in the numbers of women with disabilities;
27. Highlights the value of micro-financial instruments for job creation and growth; calls on the Member States to make such instruments more easily available to women with disabilities;
28. Underlines that, in order to ensure independent living for persons with disabilities, it is necessary to support research and innovation aimed at developing products to help persons with disabilities in their everyday activities;

Equality

29. Highlights that equality and non-discrimination are at the core of the Disability Strategy;
30. Calls on the Commission to address disability in its Strategic Engagement for Gender Equality 2016-2019;
31. Deeply regrets the prolonged deadlock in the European Council on progress towards the anti-discrimination directive and calls on the Member States to contribute to the adoption of the Horizontal anti-Discrimination Directive¹, moving towards a pragmatic solution, which should extend to the protection against discrimination in all areas of life

right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals, OJ L 368, 31.12.1994, p. 38.

¹ Proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation, COM(2008)0426.

of persons with disabilities, including the recognition of the denial of reasonable accommodation as a form of discrimination, and of multiple and intersectional discrimination;

32. Is alarmed by existing data on discrimination and abuse of persons with disabilities; remains concerned by cases of under-reporting due to the inaccessibility of complaint and reporting mechanisms, a lack of trust and of awareness of rights; insists that gender-disaggregated data should be collected and recommends, in this respect, the development of a new method for gathering data, particularly regarding cases of denied boarding and refused or unavailable assistance;
33. Calls on the Member States to ensure that all national equality bodies have a mandate in the area of disability, adequate resources and the independence to provide victims of discrimination the necessary assistance, and to guarantee that any extension of their mandate is accompanied by an increase in human resources;
34. Calls for the EU and the Member States to fund training and develop models of good practice by and for persons with disabilities, their organisations, trade unions, employers' federations, equality bodies, civil servants on the principle of non-discrimination, including multiple and intersectional discrimination and reasonable accommodation;
35. Calls for the EU to develop research programmes addressing equality principles when drawing up the post-Horizon 2020 framework for Research and Development;

Employment

36. Highlights that access to the labour market is a holistic issue requiring the implementation of support measures that result in a win-win situation for both the individual and the employer, ensuring social inclusion and which should include accessible recruitment procedures, accessible transport from and to the workplace, career progression, and on-going training, as well as reasonable accommodation and accessible work places; calls on the Commission to update the Compendium of good practice on supported employment for people with disabilities in the EU and EFTA-EEA;
37. Encourages the adoption of positive discrimination measures, including the adoption of minimum percentages for the employment of persons with disabilities in the public and private sectors;
38. Regrets that the denial of reasonable accommodation does not constitute discrimination within the framework of the Employment Equality Directive¹, which has been criticised by the UN Committee on the Rights of Persons with Disabilities; recalls that the first article of the Directive on equal treatment in employment prohibits any form of discrimination on grounds of disability;
39. Calls on the Member States to ensure that benefit traps do not constitute a barrier to

¹ Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, OJ L 303, 2.12.2000, p. 16.

participation in the labour market, and asks for the separation of disability-related benefits from income support taking into account additional care and other needs that persons with disabilities may have, enabling them to live a dignified life and enjoy access to the labour market; calls on the Member States, in this respect, to ensure that disability-related benefits are not waived on grounds of employment;

40. Calls on the Commission to support social enterprises in line with the principles stated in the Bratislava Declaration and the Madrid Declaration on the Social Economy, as an important source of employment opportunities for persons with disabilities;
41. Calls on the Member States, in line with the UNCPRD, to remove all legal barriers to employability, such as guardianship laws and laws that limit the legal capacity of persons with disabilities, preventing them from signing work contracts, opening a bank account and having access to their money, leaving them financially excluded, or national clauses declaring certain categories of persons with disabilities as ‘unable to work’;
42. Highlights the importance of effective reintegration and rehabilitation as well as activation and retention measures in an ageing society, which enable people to return to or stay in work after a disease or physical, mental or emotional disabilities;
43. Recalls that burdening persons with disability and their partners with the cost of their assistance reduces not only their present income, but also their employment prospects and future income in old age;
44. Understands that work-life balance measures, including voluntary flexible and inclusive working arrangements, such as smart working, teleworking and flexible working hours might be beneficial to persons with disabilities and positive for mental health, ensuring security and stability for all, but is concerned that digital working environments might create new barriers if they are not accessible and reasonable accommodation is not provided;
45. Calls on the Commission to include good and bad practices in future reports to enable employers to effectively implement disability legislation;
46. Is concerned that in some Member States, persons with disabilities working in sheltered workshops are not formally recognised as workers under the law, are paid less than the minimum wage and are not entitled to the same social advantages as regular workers;
47. Is particularly concerned about young persons with disabilities and those who have been unemployed over a longer period of time; calls on the Member States to work towards including young persons with disabilities in the labour market as a matter of priority, for example, by establishing special career advisory hubs in order to give advice to students and unemployed young people on their future careers, or as part of the Youth Guarantee programme;
48. Calls on the Commission and the Member States to further promote diversity as a business case and encourage diversity charters that advocate the added value of persons with disabilities in the workplace;

49. Calls on the EU to ensure that the rights of persons with disabilities and their families are included in the proposed package on work-life balance;

Education and training

50. Is concerned that many children with disabilities remain excluded from quality inclusive education in different EU Member States as a result of, for example, segregation policies, as well as of architectural barriers, which constitute a form of discrimination against children and young persons with disabilities;
51. Emphasises that education and vocational training are essential for the employability of persons with disabilities and that employers should be engaged in the process in order to mainstream the needs of persons with disabilities, also, but not exclusively, by taking into account the possible benefits of new technologies in areas such as job searching, personal development and greater independence;
52. Calls on the Commission and the Member States to remove legal, physical and organisational barriers for all persons with disabilities in order to guarantee inclusive education and lifelong learning systems;
53. Calls for the EU institutions and Member States to ensure reasonable accommodation for trainees and requests that traineeship application procedures be accessible and that specific traineeships are offered for persons with disabilities, including incentive-driven traineeships for employers;
54. Calls for the EU institutions and Member States to ensure that the Erasmus + and other youth programmes, such as the Youth Guarantee and European Solidarity Corps, are fully accessible to persons with disabilities through individualised reasonable accommodation and that information on their accessibility rights is made available to persons with disabilities to encourage their participation; recommends, to this end, that existing tools, such as, for example, those provided in the MappED! inclusive mobility platform be maximised;
55. Regrets that the new skills agenda does not include a specific target for persons with disabilities; stresses that the current underemployment and labour market discrimination of persons with disabilities is also a waste of valuable skills; calls, therefore, on the Commission to take into account the needs of persons with disabilities in all future skill-related initiatives;
56. Urges the Member States to develop effective measures aimed at tackling the segregation and rejection of students with disabilities in schools and learning environments and to develop, in this context, national transition programmes to ensure quality inclusive education and vocational training, both formal and non-formal, including for persons with disabilities requiring a high level of support, based on the UNCRPD Committee recommendations;
57. Highlights the importance of training and re-training educational staff, in particular to support persons with complex needs;
58. Recommends making better use of the European Agency for Special Needs and

Inclusive Education to maximise its existing mandate;

59. Highlights that preparing teachers and trainers to work with children with disabilities and providing them with adequate support is essential; encourages the Member States to design inclusive education, training and continuous professional development for teachers and trainers, with inputs from a variety of stakeholders, particularly organisations representing persons with disabilities and professionals with disabilities;
60. Calls, given the high number of early school leavers among young persons with disabilities and/or SEN, for further exploration of the opportunities offered by lifelong learning and the provision of attractive alternatives; considers the promotion of lifelong learning programmes for persons with disabilities to be a vital part of the European Disability Strategy;
61. Encourages the exchange of best practices on inclusive education and lifelong learning between teachers, staff, governing bodies, students and pupils with disabilities;
62. Expresses its concerns that, in spite of improvements, persons with disabilities are still at high risk of unemployment and that less than 30 % have completed tertiary education or equivalent, compared to around 40 % for persons without disabilities; calls, therefore, on the Member States and the Commission to pay special attention to the difficulties young persons with disabilities and/or SEN encounter during their transition from secondary and university education and/or vocational training to employment;
63. Encourages EU public institutions and companies to implement diversity policies and the national Diversity Charters;
64. Underlines that young persons with disabilities participate less in physical activity than their peers without disabilities and that schools play an important role in adopting a healthy lifestyle; stresses, therefore, the importance of fostering greater participation of young persons with disabilities in physical activities; calls on the Member States to swiftly eliminate all existing barriers hindering the participation of persons with disabilities or people with special needs in sports activities;
65. Recalls the need to bridge the digital gap and to ensure that persons with disabilities benefit fully from the Digital Union; stresses, in this context, the importance of improving the digital skills and competences of persons with disabilities, notably through projects financed by the Erasmus+ programme, and calls on the Member States to ensure the protection of vulnerable citizens – including persons with disabilities – online, through efficient measures against hate speech, cyberbullying and all forms of online discrimination and by providing more education in digital and media literacy as part of both non-formal and formal education; calls, in addition, on the Member States to make appropriate technological educational tools available free of charge to children with disabilities, to allow them to fully join in with educational and training activities;

Social protection

66. Calls on the Commission to ensure that the 2030 EU Disability Strategy includes specific actions to promote inclusive social protection systems across the EU, which would guarantee access to benefits and services to persons with disabilities across the

life cycle; calls on the Member States to set a social protection floor for persons with disabilities that would guarantee their adequate standard of living;

67. Calls on the co-legislators to give consideration to the inclusion of persons with disabilities as a specific target group in the Social Security Coordination Regulation¹;
68. Urges the Member States to apply the principle of mutual recognition when undertaking their disability assessment and determination, which should follow and must not undermine the UNCRPD human rights-based model of disability, taking into account the environmental and societal barriers a person encounters and including all relevant stakeholders in order to ensure that the living standards of persons of disabilities are not jeopardised by, for example, economic adjustment programmes;
69. Calls on the Commission to ensure that the European Pillar of Social Rights mainstream disability in all aspects;
70. Recommends that the European Social Fund (ESF), the European Programme for Employment and Social Innovation (EaSI) and future EU social funds be used not only for employment activation measures, but also for social inclusion; stresses the importance of rehabilitation as a means of social inclusion to ensure that persons with disabilities remain active within the community;
71. Recommends that the Member States take specific measures, such as providing financial assistance and respite care, to promote inclusive social protection systems across the EU that guarantee an adequate standard of living, benefits and access to services for all persons with disabilities across the life cycle;
72. Urges the Member States to ensure that deinstitutionalisation never leads to homelessness for persons with disabilities because of a lack of adequate and/or accessible housing for delivering care in the community;

Health

73. Calls on the Member States to fully implement the 2011 Directive on patients' rights in cross-border healthcare²; recommends that the Commission include a strong disability component in the transposition of the Directive in order to guarantee access to affordable and quality cross-border border healthcare for persons with disabilities; calls, in this connection, on the Commission to carry out an impact assessment of the Directive with a view to revising it to bring it into line with the UNCRPD and to prepare EU-wide guidance on mainstreaming disability in the work of the National Contact Points with common performance criteria, including disability-specific recommendations; encourages the Member States to provide appropriate education and training for healthcare professionals on the specific needs of patients with disabilities;
74. Is concerned about violations, including human rights violations, in mental health and care services, which have in many cases had a significant impact on the quality of

¹ Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems, OJ L 200, 7.6.2004, p. 1.

² Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare, OJ L 88, 4.4.2011, p. 45.

services provided, and points out that those services must be recovery-focused, adequately funded and provided in accordance with a human rights-based model;

75. Calls on the Member States to ensure mental health services that respect legal capacity and that require the person with a disability and not a substitute decision-maker to give informed consent for treatment and hospitalisation, also taking into consideration assisted decision-making measures;
76. Calls on the Commission to ensure eHealth, health and care services are fully accessible and safe to use for all persons with disabilities, including those who have intellectual disabilities and complex needs, and their family members;
77. Points to the urgency of addressing the general lack of access to multidisciplinary specialist care for persons with disabilities and, where it does exist, the long patient waiting times, as a major obstacle to equal access to healthcare prevention and treatment, often resulting in the deterioration of a disabled patient's condition and an avoidable burden on healthcare systems;
78. Points out that healthcare systems should ensure the detection, reporting and prevention of sexual violence and/or abuse;
79. Urges the Member States to increase the number of multidisciplinary assessment and re-assessment services for adults with disabilities, with a view to developing tailor-made plans which can be implemented by using territorial resources (such as home/day care/residential services) which meet the biopsychosocial requirements identified;
80. Urges the Commission and the Member States to make full use of the European Reference Networks framework to develop, and expand access to, multidisciplinary and specialised healthcare for persons with disabilities in general and, in particular, for those with rare disabilities;
81. Highlights the Commission's lack of attention to disabilities in the Action Plan for the EU health workforce and the EU agenda for effective, accessible and resilient health systems, as they are not specifically dealt with in either of the two texts;
82. Highlights the success of the second Joint Action on Dementia, hoping, meanwhile, that, for the following third-year period, additional funds will be disbursed by the pharmaceutical companies taking part in the Innovative Medicines Initiative;
83. Invites the Commission to present a strategy for assisting persons with serious disabilities following the death of relatives who had been in charge of their daily care (cf. the recently adopted Italian law *dopo di noi*);
84. Urges the Commission to undertake a thorough analysis of the gaps between the UN's Concluding Observations and its own progress report, specifically in relation to the health priority area of the European Disability Strategy;
85. Calls for local obstetric care provision to be consistently promoted as a public service in the Member States, in order to reduce instances of disability resulting from birth complications and to ensure a safe birth for both mothers and babies, in line with the

WHO Safe Childbirth Checklist;

86. Is encouraged by the progress made in the European telemedicine sector, which has the power to fundamentally change the ability of persons with disabilities to access services; believes, furthermore, that the roll-out of 4G technology, the rise of 5G and the spread of the Internet of Things will lead to improvements in healthcare provision for persons with disabilities; calls on the Commission to ensure that the European health technology sector is not burdened by excessive regulation and has adequate access to finance;

External action

87. Calls for the EU's external action to be fully compliant with the UNCRPD;
88. Calls for the EU to ensure that development cooperation and humanitarian action are fully accessible to and inclusive of persons with disabilities;
89. Calls for the EU to introduce a disability rights marker in official development assistance reporting;
90. Calls on the EU to ensure it plays a key role in ensuring that persons with disabilities are not left behind in development cooperation and humanitarian aid, as committed to in the European Consensus on Development, and to include addressing the multiple discriminations faced by vulnerable persons and marginalised groups;
91. Calls on the Commission to be a leader in achieving disability-inclusive implementation of the Sustainable Development Goals in external action, independently of a new European disability strategy, by adopting a clear, transparent and inclusive roadmap to achieving the goals;
92. Regrets that the EU SDGs' indicator on employment is not disaggregated by disability; calls on the EU to encourage the disaggregation of data by type of disability in cooperation with partner countries;
93. Calls on the EU and partners to include persons with disabilities and their representative organisations at all stages of policy development and projects, including on the ground in partner countries with the active participation of organisations of persons with disabilities;
94. Reiterates that women with disabilities often face even bigger challenges and dangers in countries involved in conflict and in conflict zones; highlights, therefore, the need to protect women with disabilities in the EU's external policies;

Obligations within the EU institutions

95. Urges the EU institutions to make accessible the functionality, content, documents, videos and web services of their external and internal websites, including public consultations, and public reports on conformity and compliance with web accessibility guidelines, recommendations and obligations;
96. Regrets that the INSIGN project which enables independent communication for deaf

and hard of hearing persons during their interaction with the EU institutions by connecting them with sign language interpreters and captioners in Member States has not yet been implemented, although the Commission financed the development of the prototype of the service platform, which was successfully tested in 2014 in the European Parliament;

97. Calls for the EU institutions to make – upon simple request – all of its public meetings accessible, including through the provision of sign language interpretation, speech-to-text captioning and documents provided in braille, as well as through other augmentative and alternative methods of communication and the physical accessibility of their buildings; recognises the difficulties in providing subtitles for all live streams and videos of meetings; calls, however, for the institutions to continue to monitor technological developments in this area in order to improve accessibility in the future;
98. Advises the European institutions to give priority to interpretation from and into national sign language(s) rather than International Sign, in line with the EU's multilingualism policy;
99. Urges the Member States to ensure that their European Parliament elections are accessible and include those currently living in institutions and/or under guardianship;
100. Recognises the lack of accessible and inclusive election processes for persons with disabilities, especially persons with mental/intellectual disabilities, both at EU and Member State level; urges the European Parliament to ensure that their communication materials on the European Parliament elections are fully accessible;
101. Calls on the European schools, nurseries and after-school centres to provide quality inclusive and UNCRPD-compliant education to all children of EU staff, including those with complex or high-level support needs;
102. Calls on the EU to facilitate the provision of reasonable accommodation and other forms of employment support, such as smart working for employees, including for accredited parliamentary assistants with disabilities within the EU institutions;
103. Calls on the Commission to revise the joint rules, implementing provisions, scope, disability representation, accessibility and practices of its Joint Sickness and Insurance Scheme to bring it into line with the UNCRPD;
104. Urges all EU institutions, agencies and bodies to establish focal points, and stresses the need for a horizontal interinstitutional coordination mechanism across Directorates-General and EU institutions; calls for the necessary arrangements to achieve this to form part of a UNCRPD implementation strategy;
105. 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 Article 5 of Directive 2000/78/EC;
106. Recalls the role of the Disability Intergroup of the European Parliament for the implementation of the European Disability Strategy, in accordance with the UN

Convention, as a platform that brings together members of the European and national Parliaments and representatives of organisations and civil society, both at national and local level; notes that the Intergroup is a privileged forum for encouraging discussions and debates in order to ensure the implementation of the strategy;

107. Calls for the European institutions to fully consult and effectively involve staff and Members with disabilities in formulating, implementing and monitoring their internal rules, policies and practices, including the Staff Regulations and reasonable accommodation and accessibility provisions;

Gaps in the progress report vis-à-vis the Concluding Observations

108. Regrets that the EU institutions' websites do not comply with level AAA accessibility standards; calls on the Institutions to comply as soon as possible;
109. Regrets that the EU's and the Member States' transport legislation is still not fully implemented at national level; recommends, to this end, that national enforcement bodies be established in each Member State;
110. Notes the progress made in terms of rail accessibility; calls for the same level of accessibility regulations for all other transport modes, including air travel, to resolve conflicts between safety and accessibility;
111. Notes that the Horizontal Equal Treatment Directive is not addressed in the Commission's Progress Report;
112. Finds it regrettable that little progress has been made with regard to the European Union's ratification of the Optional Protocol to the UNCPRD;
113. Notes that the Commission has so far not undertaken a cross-cutting, comprehensive review of its legislation in order to ensure full harmonisation with the provisions of the UNCPRD;
114. Welcomes the updated list of instruments, including recently adopted instruments, but regrets that the declaration of competences has not been revised and that the list of instruments does not include instruments which do not specifically refer to persons with disabilities, but are nevertheless relevant to persons with disabilities;
115. Regrets that the Commission has not made progress in mainstreaming the rights of women and girls with disabilities in all its gender equality policies and programmes, and in including a gender perspective in its disability strategies;
116. Applauds the EU's signing of the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention), and calls upon the Council to swiftly ratify it;
117. Regrets that the current European policies on the rights of the child do not sufficiently include a comprehensive rights-based strategy for boys and girls with disabilities or safeguards to protect their rights, and that the disability strategies do not sufficiently address and mainstream the rights of boys and girls with disabilities; calls on the

Commission, in accordance with the UNCRPD and in line with the UN Convention on the Rights of the Child (UNCRC), to pay particular attention to children with disabilities; highlights, in particular, the need for role models for women and girls with disabilities;

118. Notes that the EU has not organised a comprehensive campaign to raise awareness about the UNCRPD and to combat prejudice against persons with disabilities;

Towards a comprehensive and effective 2030 Disability Strategy

Horizontal issues

119. Calls on the Commission to ensure that the future Disability Strategy aims at fully implementing the UNCRPD in all areas of EU policy and at mainstreaming accessibility, participation, non-discrimination and equality, encompassing all articles of the UNCRPD and that it include an adequate budget, a timeframe for implementation and a monitoring mechanism, as well as having the same legal value as the current strategy; is aware that the strategy can be a success only if all stakeholders, including civil society, are involved;
120. Stresses that the 2020-2030 strategy should be based on a cross-cutting, comprehensive review of all EU legislation and policy in order to ensure full harmonisation with the provisions of the UNCRPD, and that it should include a revised declaration of competences;
121. Calls on the Commission to encourage measures related to effective reintegration and rehabilitation to reduce or eliminate the effects of a disease or physical, mental or emotional disability on a person's earning capacity;
122. Recommends that the Commission ensure that any future strategy and the consultation process related to it should be transparent, understandable and fully accessible, and include clear indicators and benchmarks;
123. Notes that the EU SDGs' set of indicators are not inclusive of persons with disabilities when it comes to goal 4 (education), goal 5 (gender equality) and goal 8 (decent work and economic growth); calls for the future strategy to use global SDGs' indicators to monitor the implementation of the main EU actions and policies in the field of employment;
124. Stresses the importance of ensuring that the future Disability Strategy is coherent with other EU initiatives and strategies, in order to foster the employment and inclusion of persons with disabilities, in particular women;
125. Recommends that the post-2020 strategy include public procurement and standardisation as horizontal issues to increase the employability of persons with disabilities, as well as to favour the compilation and exchange of good practices among Member States;
126. Urges the Commission to ensure that EU-funded projects are in line with the UNCRPD's human rights approach, by not funding any projects that would create

results that are not accessible, that exclude persons with disabilities, or do not respect accessibility standards;

127. Calls on the Commission to propose an accessible assessment tool with ongoing monitoring, including specific indicators and tangible goals;
128. Calls for the EU and the Member States, following the EU's ratification of the Istanbul Convention, to adopt specific measures addressing violence against women and girls with disabilities;
129. Calls for the EU to mainstream the European Disability Strategy across all EU legislation and the EU Semester process; calls, in this connection, for a genuine structured dialogue between the EU and organisations representing persons with disabilities for the drafting of the post-2020 strategy;
130. Recommends that the future strategy include the essential role of support services for the enjoyment of human rights of persons with disabilities;
131. Recommends that the future strategy include issues related to staff training, which are fundamental if support according to the UNCRPD principles is to be provided;

Additional areas for action

132. Urges equality, gender and non-discrimination, including, for example, of LGBTIQI with disabilities who are exposed to multiple discrimination, to be mainstreamed in all areas in a future strategy; calls on the Commission and the Member States to promote campaigns and training courses to raise awareness of the UNCRPD and of the need for respect of diversity in order to combat discrimination, stigma and prejudices against persons with disabilities, persons with psychosocial disabilities, learning disabilities or autism;
133. Emphasises that more must be done to overcome stereotypes and prejudices about disability in the media in order to change the prevalent exclusionary social norms; calls on the Commission and the Member States to invest in public awareness initiatives in order to ensure the depiction of persons with disabilities as equal citizens to counteract stereotypes about disability;
134. Points to the intersection of gender and disability, particularly with regard to informed consent about the use of contraception, forced sterilisation and access to reproductive rights; calls on the Member States to consider the need to evaluate their legislation in this regard;
135. Urges the EU to mainstream the rights of children with disabilities into all areas of the future strategy;
136. Recognises that legal capacity is one of the prerequisites for the enjoyment of human rights, including the right to vote, and that any new strategy must work towards no one being denied legal capacity on the basis of disability in all areas of life; stresses, to this end, that the EU should adopt appropriate measures to ensure that all persons with disabilities can exercise all the rights enshrined in European Union treaties and

legislation, such as access to justice, goods and services, including banking, employment and health care, as well as voting in European elections and consumer rights in line with the Convention, and encourage non-coercive measures and supported-decision making in line with the UNCRPD;

137. Strongly urges the Commission to include all possible measures in the new strategy to ensure the liberty and security of all persons with all types of disabilities in line with the Convention and the UNCPRD Committee;
138. Strongly urges the Commission to retain the partnership principle in future regulations on funding and to ensure that it is fully respected;
139. Calls on the Commission to promote the structural involvement of persons with disabilities and their representative organisations in all decision-making processes, both nationally and at EU level, and to fund capacity building of organisations of persons with disabilities to enable persons with disabilities to engage in structural participation in all decisions that concern them; calls on the Member States to continue delivering UNCRPD training to ensure that persons with disabilities are aware of their rights so that discrimination can be prevented;
140. Recalls that the UNCRPD Committee has expressed its deep concern with the precarious situation of persons with disabilities in the current migration crisis in the EU; strongly urges the Commission to mainstream disability in its migration and refugee policies and to ensure that all EU funding directed towards tackling this humanitarian crisis is disability-inclusive;
141. Strongly urges the Member States to disaggregate data by types of disability, and to work closely with Eurostat to collect comparable data on disability in different fields, which includes persons living in institutions, while linking the disability strategy to the SDGs process and the 2030 Agenda for Sustainable Development;
142. Stresses the need for measurable and comparable quantitative and qualitative indicators, including on accessibility, equality, employment, social protection, health, school outcomes and the numbers of students in inclusive education, in order to assess the implementation of the UNCRPD by the EU and the Member States, and strongly urges that data be collected in order to help apply these indicators;
143. Urges the EU to develop a human rights-based indicator system in cooperation with persons with disabilities and their representative organisations, as well as a comparable comprehensive data collection system, with data disaggregated by gender, age, rural or urban population and impairment type;
144. Recognises that persons with intellectual disabilities are particularly vulnerable to discrimination and abuse, and are often placed in institutions, with no access to education and no self-determination;
145. Strongly urges the Commission and the Member States to take additional measures to reach out to the most vulnerable, such as homeless persons with disabilities;
146. Stresses the need for continuous monitoring of the implementation of the UNCRPD in

line with Article 33 thereof and in consultation with disability organisations;

147. Calls on the Commission to ensure that the work of the European Union High Level Group on combating racism, xenophobia and other forms of intolerance in relation to improving the recording and collection of data on hate crime fully includes hate crime against persons with disabilities;
148. Urges all Member States to allocate sufficient and stable financial and human resources to the monitoring frameworks established under Article 33(2) of the UNCRPD to carry out their functions independently;
149. Urges the Commission to provide adequate resources to the EU Monitoring Framework to enable it to perform its functions independently and adequately;
150. Recalls that the Committee on Petitions (PETI) receives a considerable number of petitions each year referring to the difficulties encountered by persons with disabilities across the EU in their everyday activities in relation to the eight main areas of action identified in the European Disability Strategy and other accessibility issues, such as access to healthcare and social protection, education and training, the labour market, the built environment and transport, goods and services, information and communication, and participation in political, public and cultural life;
151. Calls on all Member States to ratify the UNCRPD and to sign the Optional Protocol;
152. Highlights the protection role played by the Committee on Petitions through the petition process (alongside the European Ombudsman, appointed to protect citizens in the event of maladministration) in the context of the EU framework for the UNCRPD, enabling the petitioner to lodge a complaint against an infringement of their rights on the part of European, national and local authorities; stresses that the petitions received by the Committee illustrate the need to adopt an effective, horizontal, non-discriminatory and human rights-based approach to disability policies; stresses the role of the European Union Agency for Fundamental Rights in strengthening the fundamental rights of persons with disabilities in the EU and in supporting the EU's implementation of the UNCRPD;
153. Emphasises that most of the petitions submitted by European citizens concern the difficulties involved in the application procedures, in obtaining recognition and in relation to late payments of invalidity pensions by the relevant administrations; underlines that the implementation of the European Disability Strategy and its social protection area for action should pay special attention to these issues, in accordance with Article 28 of the UNCRPD on an adequate standard of living and social protection;

o

o o

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

12.10.2017

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

for the Committee on Employment and Social Affairs

on the Progress Report on the implementation of the European Disability Strategy (2010-2020)
(2017/2127(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:

- A. whereas one of the targets for good health and well-being as set out in the 2030 Agenda for Sustainable Development is to achieve universal health coverage, including financial risk protection, and safe, effective and affordable medicines and vaccines of good quality for all; whereas all too often Member States cut disability-related social benefits and health services, undermining the UN Convention on the Rights of Persons with Disabilities (UN CRPD) and further increasing levels of poverty and social exclusion;
- B. whereas Article 168(7) of the Treaty on the Functioning of the European Union (TFEU) gives Member States the responsibility to define their health policies and deliver health services; recognises, therefore, the vital importance of consulting and engaging with Member States in order for the European Disability Strategy to be successful;
- C. whereas, according to the World Health Organisation (WHO)¹, people with disabilities have less access to healthcare services and experience unmet healthcare needs because health promotion seldom targets persons with disabilities (for example, women with disabilities receive less screening for breast cancer than women without disabilities and adolescents with disabilities are more likely to be excluded from sex education programmes);
- D. whereas Article 25 of the UN CRPD reinforces the right of persons with disabilities to

¹ Disability and health Fact sheet, November 2016.

- enjoy the highest attainable standard of healthcare, without discrimination;
- E. whereas the EU leads the way in the ratification of human rights; whereas Articles 21 and 26 of the EU Charter of Fundamental Rights reaffirm the principle of non-discrimination and Article 35 the right to healthcare; whereas all Member States should ratify the Convention and sign the Protocol;
 - F. whereas all persons with disabilities have equal rights and are entitled to inalienable dignity and equal treatment, and to fully participate in society;
 - G. whereas the incidence of disability, which is higher among women in Europe, is expected to increase in the context of an aging population;
 - H. whereas the eight areas of the strategy are closely interconnected;
 - I. whereas persons with disabilities are particularly vulnerable to deficiencies in healthcare services, engaging in health risk behaviours and higher rates of premature death;
 - J. whereas persons with disabilities encounter a range of barriers when attempting to access healthcare, including unaffordable costs, a limited availability of services, physical barriers, and inadequate skills and knowledge on the part of health workers;
1. Maintains that a human rights approach to disability policies is essential for the achievement of the highest attainable standard of health as a fundamental right; recognises that the prevalence of the medical model of disability in policy framing understates the impact of social and physical barriers on the overall health and well-being of persons with disabilities;
 2. Highlights that, while access to the highest attainable standard of healthcare without discrimination on the basis of disability is a fundamental right, persons with disabilities continue to face persistent barriers that negate their equal access to health services, including a lack of accessible information about healthcare entitlements, discriminatory treatment by private healthcare insurance companies, inaccessible healthcare facilities and often a lower quality of care, which is not adapted to an individual's needs; maintains 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;
 3. Highlights that the necessary social support should be provided to ensure that persons with disabilities can exercise their rights and enjoy full autonomy, in particular persons with psychosocial disabilities; calls for the institutionalisation of such people to be avoided and for steps to be taken to ensure that they are not subjected to treatment without their consent;
 4. Is highly concerned that access to sexual and reproductive rights is, by and large, impossible for many girls and women with disabilities, and urges the Member States to urgently adopt guidelines to ensure that all education, information, healthcare and services relating to sexual and reproductive health are fully accessible and that information is provided in age-appropriate formats; believes that informed consent

about the use of contraceptives and medical procedures should support women with disabilities' freedom of choice and self-determination in their sexual and reproductive lives;

5. Points to the urgency of addressing the general lack of access to multidisciplinary specialist care for persons with disabilities and, where it does exist, the long patient waiting times, as a major obstacle to equal access to healthcare prevention and treatment, often resulting in the deterioration of a disabled patient's condition and an avoidable burden on healthcare systems;
6. Recalls the reproductive rights enshrined in the UN CRPD, which encompass access to comprehensive reproductive healthcare, including family planning and maternal health services, and information and the right to give informed consent to all medical procedures, including sterilisation and abortion, and to retain fertility on an equal basis with others;
7. Points out that healthcare systems should ensure the detection, reporting and prevention of sexual violence and/or abuse;
8. Stresses that access to healthcare remains a key concern with regard to ensuring optimal quality of healthcare for persons with disabilities, including persons with mental health issues; recognises that more must be done in the field of health promotion and prevention activities targeting people with disabilities, such as campaigns to increase early detection awareness for certain types of cancer, including breast and cervical cancer;
9. Urges the Member States to increase the number of multidisciplinary assessment and re-assessment services for adults with disabilities, with a view to developing tailor-made plans which can be implemented by using territorial resources (such as home/day care/residential services) which meet the biopsychosocial requirements identified;
10. Reiterates its concern for vulnerable patients such as persons with psychosocial and intellectual disabilities; calls on the Member States to ensure that a patient's right to informed consent to treatment is not unduly denied; stresses the need for the EU's disability policy to specifically ensure the protection of such persons, who are at increased risk of exclusion from the healthcare system, and who often cannot give free and informed consent to healthcare;
11. Expresses concern that there is often inadequate legal protection against multiple and intersectional forms of discrimination; asks the Commission and the Member States to safeguard equal access to healthcare irrespective of a patient's disability, age, gender, sexual orientation, race or ethnic origin;
12. Calls on the Commission and the Member States to implement the European Disability Strategy as quickly as possible;
13. Stresses that people with physical disabilities also face problems on the digitised mobility market; calls for access to be made easier for persons with all kinds of disability, using the languages, formats and technologies needed for various disabilities, including sign language, 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, making use of more than one sensory channel;

14. Highlights the need for health insurance schemes not to discriminate against persons with disabilities;
15. Welcomes the pilot EU Disability Card and encourages the Member States to sign up to the initiative; calls on the Commission to mobilise the necessary funding for the development of the project across the EU, if need be;
16. Calls on the Commission and the Member States to ensure that persons with disabilities have easy access to the emergency number 112 from anywhere in Europe;
17. Stresses the need to review and address the persistently low levels of awareness and uptake of the provisions enshrined in Directive 2011/24/EU on patients' rights in cross-border healthcare (hereinafter Cross-Border Health Care Directive) among patients with disabilities; highlights the urgent need for this directive to be brought into line with the UN CRPD in order to guarantee access to affordable and quality cross-border healthcare; urges the Member States to further the implementation of the directive, including by giving particular attention to the rights of persons with disabilities;
18. Stresses that the inability of patients with disabilities to avail themselves of cross-border healthcare, when unable to afford the additional costs arising from their disability, denies them the enjoyment of this right on an equal basis; urges the Commission and the Member States to ensure the non-discriminatory application of the Cross-Border Health Care Directive;
19. Welcomes the application of the Cross-Border Health Care Directive which has, in theory, made it easier for patients with disabilities to have access to healthcare; regrets, however, the lack of knowledge of this instrument, which has, in actual fact, greatly limited its objective potential; considers it advisable, in this regard, to increase training for general practitioners (GPs) so that they are able to provide helpful advice on the opportunities the directive can offer; hopes, meanwhile, that the national contact points established as a link between healthcare users and providers can be strengthened in order to provide citizens – who, as evidenced by Eurobarometer, do not know that these info points exist – with clear, transparent information on the quality and safety standards of the national health service and in order to accompany them in the healthcare choices they need to make;
20. Calls for the impact of the Cross-Border Health Care Directive on persons with disabilities to be assessed;
21. Recommends that the Commission and the Member States collaborate with disabled patients' organisations to ensure that national contact points provide and disseminate information on cross-border healthcare rights in accessible formats;
22. Calls on the Commission to guide its evidence-gathering and policy-making activities

- by a human-rights based approach, so as to shift the focus from individual impairment and fully account for the barriers faced by persons with disabilities when their physical, mental, intellectual or sensory impairments interact with the external environment;
23. Urges the Member States to enable the adoption of the Horizontal Equal Treatment Directive, so as to extend protection against discrimination on grounds of disability, among others, in access to healthcare, and thus also counter multiple discrimination;
 24. Urges the Commission and the Member States to make full use of the European Reference Networks framework to develop, and expand access to, multidisciplinary and specialised healthcare for persons with disabilities in general and, in particular, for those with rare disabilities;
 25. Calls on the Commission to begin work on a post-2020 European Disability Strategy in full consultation with the Member States, Parliament, other institutions and the general public; believes that engagement is particularly important, given that the European Disability Strategy will not have undergone a substantial revision between 2010-2020; draws the attention of the Commission, in particular, to Parliament's resolution of 7 July 2016 on the implementation of the UN CRPD, and to the results of the vulnerABLE project funded by the European Parliament;
 26. Highlights the Commission's lack of attention to disabilities in the Action Plan for the EU Health Workforce and the EU agenda for effective, accessible and resilient health systems, as they are not specifically dealt with in either of the two texts;
 27. Calls on the Member States to refrain from cutting disability-related social benefits, community-based services, health services and training and education programmes, as doing so would undermine the UN CRPD and further increase the level of poverty and social exclusion;
 28. Encourages the adoption, through research framework programmes and other financial instruments, of pilot projects such as those relating to telemedicine, designed to simplify access for patients with disabilities to the necessary healthcare, including emergency services;
 29. Hopes, in keeping with the EU Strategic Framework on Health and Safety at Work 2014-2020, that Member States will use the European Social Fund and other European Structural and Investment Funds to fund all measures that may help to protect the health of persons with disabilities, through integrated pathways and personalised support and advisory services, guiding them towards health and social services;
 30. Encourages the Commission to follow up on the proposals to mobilise structural funding so as to train health professionals on disability awareness and specific gaps in knowledge about associated conditions;
 31. Recommends that European structural funding for healthcare and other services be consistently steered to promote deinstitutionalisation and independent living in the community, as well as the involvement and consultation of patient organisations;
 32. Highlights the success of the second Joint Action on Dementia, hoping, meanwhile,

that, for the following third-year period, additional funds will be disbursed by the pharmaceutical companies taking part in the Innovative Medicines Initiative;

33. Emphasises that independent and community living are key factors for empowerment and that persons with disabilities have the right to be in control of their lives; urges the Commission and the Member States, therefore, to implement measures that can ensure good-quality and personalised support for independent living;
34. Invites the Commission to present a strategy for assisting people with serious disabilities following the death of relatives who had been in charge of their daily care (cf. the recently adopted Italian law *dopo di noi*);
35. Calls on the Commission and the Member States to increase awareness of disability issues, and to promote the inclusion of disability as a component in national health policies and programmes;
36. Reminds the Commission of the mental health crisis that is affecting Europe at present; notes the WHO's estimate that mental health problems will affect one in four people at least once in their lives; believes that these issues should be addressed in parity with physical health; notes that this is particularly important as the Joint Action on Mental Health and Well-being ended in 2016; notes the importance of the EU-Compass for Action on Mental Health and Well-being for delivering a Europe-wide approach to addressing mental health issues;
37. Calls on the Commission and the Member States to promote strategies to ensure that persons with disabilities are knowledgeable about their own health conditions, to provide healthcare personnel support, and to protect the rights and dignity of persons with disabilities;
38. Urges the Commission to undertake a thorough analysis of the gaps between the UN's Concluding Observations and its own progress report, specifically in relation to the health priority area of the European Disability Strategy;
39. Notes the difficulty of identifying tangible benefits and outcomes from the European Disability Strategy; expresses disappointment that there has been no reported use of the European Social Fund to promote the training of healthcare professionals on disability matters; calls on the Commission to review this particular area in order to consider how progress can be made;
40. Calls for local obstetric care provision to be consistently promoted as a public service in the Member States, in order to reduce instances of disability resulting from birth complications and to ensure a safe birth for both mothers and babies, in line with the WHO Safe Childbirth Checklist;
41. Is encouraged by the progress made in the European telemedicine sector, which has the power to fundamentally change the ability of persons with disabilities to access services; believes, furthermore, that the roll-out of 4G technology, the rise of 5G and the spread of the Internet of Things will lead to improvements in healthcare provision for persons with disabilities; calls on the Commission to ensure that the European health technology sector is not burdened by excessive regulation and has adequate access to

finance.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	12.10.2017
Result of final vote	+: 60 -: 0 0: 1
Members present for the final vote	Marco Affronte, Pilar Ayuso, Zoltán Balczó, Catherine Bearder, Ivo Belet, Simona Bonafè, Biljana Borzan, Lynn Boylan, Paul Brannen, Soledad Cabezón Ruiz, Nessa Childers, Birgit Collin-Langen, Miriam Dalli, Seb Dance, Mark Demesmaeker, Stefan Eck, José Inácio Faria, Karl-Heinz Florenz, Francesc Gambús, Elisabetta Gardini, Gerben-Jan Gerbrandy, Arne Gericke, Jens Gieseke, Julie Girling, Sylvie Goddyn, Françoise Grossetête, Andrzej Grzyb, Jytte Guteland, Benedek Jávor, Karin Kadenbach, Kateřina Konečná, Urszula Krupa, Jo Leinen, Peter Liese, Norbert Lins, Rupert Matthews, Valentinas Mazuronis, Susanne Melior, Miroslav Mikolášik, Gilles Pargneaux, Piernicola Pedicini, Bolesław G. Piecha, Julia Reid, Daciana Octavia Sârbu, Annie Schreijer-Pierik, Renate Sommer, Ivica Tolić, Nils Torvalds, Adina-Ioana Vălean, Jadwiga Wiśniewska, Damiano Zoffoli
Substitutes present for the final vote	Herbert Dorfmann, Luke Ming Flanagan, Elena Gentile, Merja Kyllönen, Ulrike Müller, Christel Schaldemose, Bart Staes, Keith Taylor
Substitutes under Rule 200(2) present for the final vote	John Howarth, Răzvan Popa

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

60	+
ALDE	Catherine Bearder, Gerben-Jan Gerbrandy, Valentinas Mazuronis, Ulrike Müller, Nils Torvalds
ECR	Mark Demesmaeker, Arne Gericke, Julie Girling, Urszula Krupa, Rupert Matthews, Bolesław G. Piecha, Jadwiga Wiśniewska
EFDD	Piernicola Pedicini, Julia Reid
ENF	Sylvie Goddyn
GUE/NGL	Lynn Boylan, Stefan Eck, Luke Ming Flanagan, Kateřina Konečná, Merja Kyllönen
NI	Zoltán Balczó
PPE	Pilar Ayuso, Ivo Belet, Birgit Collin-Langen, Herbert Dorfmann, José Inácio Faria, Karl-Heinz Florenz, Francesc Gambús, Elisabetta Gardini, Jens Gieseke, Françoise Grossetête, Andrzej Grzyb, Peter Liese, Norbert Lins, Annie Schreijer-Pierik, Sven Schulze, Renate Sommer, Ivica Tolić, Adina-Ioana Vălean
S&D	Biljana Borzan, Paul Brannen, Soledad Cabezón Ruiz, Nessa Childers, Miriam Dalli, Seb Dance, Elena Gentile, Jytte Guteland, John Howarth, Karin Kadenbach, Jo Leinen, Susanne Melior, Gilles Pargneaux, Răzvan Popa, Christel Schaldemose, Daciana Octavia Sârbu, Damiano Zoffoli
VERTS/ALE	Marco Affronte, Benedek Jávor, Bart Staes, Keith Taylor

0	-

1	0
PPE	Miroslav Mikolášik

Key to symbols:

+ : in favour

- : against

0 : abstention

13.10.2017

OPINION OF THE COMMITTEE ON CULTURE AND EDUCATION

for the Committee on Employment and Social Affairs

on the implementation of the European Disability Strategy
(2017/2127(INI))

Rapporteur: Julie Ward

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. Considers it essential to keep a rights-based approach when dealing with the issue of disability in all policy areas;
2. Calls on the Commission to provide better support to Member States' efforts to remove legal and organisational barriers and to ensure equal access for people with disabilities to inclusive education and training, including vocational education and training (VET) and adult learning, culture, tourism and sport; emphasises the importance of ensuring the availability, accessibility and affordability of individualised support services for people with disabilities;
3. Calls on the Member States to ensure that education and training are organised to include children and adults with physical or intellectual disabilities, providing counselling, assistance and individual teaching;
4. Urges the Member States to ensure access to quality and inclusive early childhood and primary education and social care, to put in place appropriate structures and effective measures for young children with disabilities and/or special educational needs (SEN) and to provide individual support in the best interests of the child, including for migrant children and children suffering from multiple discrimination, to respond to specific and diverse needs and to facilitate the successful inclusion of migrants and minorities in mainstream education;
5. Calls for the Member States to provide all necessary resources, including sufficient

funding, for adequate assistance for pupils and students with disabilities as well as staff training in education and lifelong learning infrastructures;

6. Highlights that preparing teachers and trainers to work with children with disabilities and providing them with adequate support is essential; encourages the Member States to design inclusive education, training and continuous professional development for teachers and trainers, with inputs from a variety of stakeholders, particularly organisations representing people with disabilities and professionals with disabilities;
7. Regrets the gradual cuts in public funding for education as a result of the economic crisis in Europe; points out that education is a fundamental human right and a common good;
8. Calls, given the high number of early school leavers among young people with disabilities and/or SEN, for further exploration of the opportunities offered by lifelong learning and the provision of attractive alternatives; considers the promotion of lifelong learning programmes for disabled people to be a vital part of the European Disability Strategy;
9. Encourages the exchange of best practices on inclusive education and lifelong learning between teachers, staff, governing bodies, students and pupils with disabilities;
10. Recommends providing special advisers on site at universities, job centres and other employment services and initiatives, to give advice to students with disabilities on career opportunities;
11. Calls on the Commission, together with the Member States, to set targets for education and training participation, poverty reduction and employment for people with disabilities and people with special needs, and to closely monitor and evaluate their situation at local, regional, national and EU level;
12. Expresses its concerns that, in spite of improvements, people with disabilities are still at high risk of unemployment and that less than 30 % have completed tertiary education or equivalent, compared to around 40 % for people without disabilities; calls, therefore, on the Member States and the Commission to pay special attention to the difficulties young people with disabilities and/or SEN encounter during their transition from secondary and university education and/or vocational training to employment and to make use, for this purpose, of all existing instruments and initiatives in the fields of employment, youth policy, culture, sports and education, such as the Youth Guarantee, Youth on the Move, the European Fund for Strategic Investments (EFSI), the European Social Fund (ESF) and the European Regional Development Fund (ERDF); calls, moreover, for the relevant associations, the families of people with disabilities and the people with disabilities themselves to be involved in the entire decision-making process;
13. Calls for a broader provision of quality traineeships to be made available and accessible to young people with disabilities;
14. Points out, in relation to employment, that the provision of a personal assistant during working hours is, in many cases, the only option for persons with disabilities to work, to be part of the team and to avoid enforced home-based work; calls on the Member States to adopt and encourage any necessary measures to ensure the accessibility and inclusivity of workplaces;

15. Stresses that lower educational attainment, the phenomenon of early school leaving, the lack of adapted programmes, discrimination, the lack of skills and support for jobs, as well as the accessibility of workplaces continue to be the main obstacles to labour market inclusion;
16. Deplores the fact that the employment rate among women with disabilities is less than 50 %, a figure which highlights the dual discrimination that they face, making it difficult for them to play a full part in society;
17. Encourages EU public institutions and companies to implement diversity policies and the national Diversity Charters;
18. Considers it essential to promote effective access to mobility – including through the introduction in all Member States of the EU Disability Card, a mutual recognition system currently being developed by the EU in order to ensure **equal access** to certain specific benefits, mainly in the areas of culture, leisure, sport and transport – and to extracurricular activities, such as theatre, dance, music, art, to improve information for people with disabilities regarding mobility opportunities, to provide them with the necessary guidance and assistance and to address the difficulties they encounter, including through the proper training of staff in national agencies and hosting institutions;
19. Recalls that, in spite of efforts to make the Erasmus+ programmes and other mobility initiatives more inclusive, the lack of harmonisation among national social systems and of the portability of rights represent huge barriers to the mobility of people with disabilities; calls, therefore, on the Commission and the Member States to strengthen collaboration in this field with a view to facilitating the mobility of people with disabilities and to prevent discriminatory practices in selection processes for mobility schemes, such as setting a budget cap on hosting students with disabilities, notably through Erasmus+; recommends, in general, that the financial needs of young people with disabilities should be taken into account when drawing up the budgets for mobility programmes in order to avoid discrimination;
20. Welcomes the ongoing effort to include access provisions in Union programmes and initiatives and calls for further mainstreaming of accessibility requirements in Union cultural policies, including through the implementation of the Marrakech Treaty, the review of the Audiovisual Media Services (AVMS) Directive, the European Capitals of Culture and Creative Europe; recalls, however, the need to have a global transversal approach on accessibility to all services through the adoption of the European Accessibility Act;
21. Takes the view that ongoing modernisation in the cultural and creative sectors can help to ensure the accessibility of services; calls on the Commission and the Member States, therefore, to ensure that the relevant organisations make their services accessible and to adopt measures to ensure more widespread access to culture for people with disabilities, not merely as spectators, but also as actors and protagonists able to act and intervene, with no discrimination whatsoever, in the cultural world;
22. Welcomes the commitment to raise social awareness of issues related to persons with disabilities; underlines, further, that the media can be a vital instrument in raising awareness, countering stigma and misinformation and changing societal misconceptions

about people with disabilities and people with special needs; stresses, furthermore, that by increasing awareness and understanding of disability issues and of the diversity of persons with disabilities and their situations, the media can actively contribute to the effective and successful integration of persons with disabilities in all aspects of social life; stresses also the importance of educating citizens on issues related to people with hidden/invisible disabilities in order to protect such persons from abuse;

23. Underlines that young people with disabilities participate less in physical activity than their peers without disabilities and that schools play an important role in adopting a healthy lifestyle; stresses, therefore, the importance of fostering greater participation of young people with disabilities in physical activities; calls on the Member States to swiftly eliminate all existing barriers hindering the participation of people with disabilities or people with special needs in sports activities;
24. Welcomes the increase in support for access to sport for people with disabilities through the Erasmus+ programme and calls for appropriate support to be given to initiatives aimed at improving accessibility and participation in sport at all levels, also for people with temporary impairments;
25. Recalls the need to bridge the digital gap and to ensure that people with disabilities benefit fully from the Digital Union; stresses in this context the importance of improving the digital skills and competences of persons with disabilities, notably through projects financed by the Erasmus+ programme, and calls on Member States to ensure the protection of vulnerable citizens – including persons with disabilities – online, through efficient measures against hate speech, cyberbullying and all forms of online discrimination and by providing more education in digital and media literacy as part of both non-formal and formal education; calls, in addition, on the Member States to make appropriate technological educational tools available free of charge to children with disabilities, to allow them to fully join in with educational and training activities;
26. Calls for the enhanced use of digital tools and digitalisation as a means of supporting the entry of people with disabilities into full-time employment in spheres such as the IT industry;
27. Calls on the Member States to transpose, without delay, Directive (EU) 2016/2102 on the accessibility of websites and mobile applications of public sector bodies¹, to ensure that everyone is able to enjoy the right to information and democratic participation; calls for the EU institutions, in this context, to comply with the requirements and obligations laid down in the Directive with regard to the accessibility of EU websites and to step up their efforts to facilitate the use of sign language in the EU institutions' communication and functioning, in order to improve opportunities for interaction with citizens with disabilities;
28. Affirms, in the context of the European Pillar of Social Rights, the need to ensure the participation of civil society and representatives of people with disabilities in civic dialogue, in addition to the social partners;
29. Considers that education for active citizenship should address the prospects of persons

¹ OJ L 327, 2.12.2016, p. 1.

with disabilities who face disproportionately more barriers, including physical ones, in relation to access to civic participation; recalls that all citizens have a right to vote and calls on the Member States to take the necessary action to ensure this right is respected when it comes to people with disabilities;

30. Notes with concern that refugees and asylum seekers with disabilities face multiple challenges, such as the lack of access to assistance and to education and insufficient access to assistive technology, which could make communication and integration easier; calls, therefore, on the Commission, together with the Member States and in cooperation with the United Nations High Commissioner for Refugees (UNHCR), to promote and protect the rights of persons with disabilities among refugees and asylum seekers and encourages the Member States to ensure equal access to education for all, notably through specific programmes and measures for immigrants and refugees with disabilities, as well as to exchange good practices on innovative and successful programmes for refugees with disabilities, particularly in the areas of inclusive and special needs education, vocational training and skills development;
31. Highlights the key role of carers and, in particular, family members, who often fulfil the care and assistance needs of the disabled person in almost their entirety; stresses the urgent need for EU and national policies and subsequent legislative initiatives to support the family, taking into account that in almost all cases mothers carry the burden of disability management and are forced to reduce or suspend their professional activity in order to assist their disabled family member, particularly in relation to the young and the elderly; calls on the Member States to adopt relevant and suitable actions to support families and carers and to develop a set of regulatory instruments and services enabling parents or relatives of children with disabilities to benefit from leave and/or time off work to enable them to balance their work with their care duties;
32. Stresses that in order to ensure that EU legislation is progressively harmonised with the measures laid down in the UN Convention on the Rights of Persons with Disabilities (CRPD), the directive on the European Accessibility Act will need to be adopted more swiftly and all Member States asked to sign and ratify the Optional Protocol to the Convention and to implement the recommendations of the UN Committee, with reference to Article 24, so that the EU can equip itself with the necessary resources to make inclusive, quality education more easily accessible;
33. Recalls the obligations of the CRPD, ratified by the European Union, as well as Articles 21 and 26 of the Charter of Fundamental Rights of the European Union, which state that independence, integration and access to an inclusive education and training system, civic and cultural life, recreational activities and sport are guaranteed rights, and that any form of discrimination based on disability is prohibited; urges the Commission and the Member States to scale up their efforts to fully implement these obligations, namely by adopting legislative measures in compliance with those rights, or else risk failing to reach the 2020 targets set by the European Disability Strategy;
34. Believes that greater synergy is needed between the European Disability Strategy and the Sustainable Development Goals, in particular with regard to education and training, which should be reinforced;
35. Calls for proper funding and support for monitoring progress as well as for the scrutiny of

current and future Union legal acts in respect of CRPD obligations;

36. Highlights that, in order to better assess the implementation and the outcomes of the European disability strategy, improved data collection, statistics and monitoring are needed; regrets that, for example, among the EU SDG indicators, the one pertaining to education is not disaggregated by disability; underlines that the European Disability Strategy should aim at bridging the gap in the collection of data on the access to education of persons with disabilities; calls, therefore, on the Member States and the Commission to ensure an effective data collection system by means of clear indicators on the access to education of persons with disabilities, in particular data concerning high-dependency individuals; considers it useful also to include a gender perspective in programme design and to collect gender-disaggregated data on the situation of people with disabilities and on monitoring policies and actions in this field, as well as collecting intersectional data on vulnerable people and those facing multiple discrimination;
37. Calls on the Member States and the Commission to support an EU-level network and cooperation between national and European associations of people with disabilities with a view to promoting the exchange of experience and best practices.

**ANNEX: LIST OF ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

The following list is drawn up on a purely voluntary basis under the exclusive responsibility of the rapporteur. The rapporteur has received input from the following entities or persons in the preparation of the opinion, until the adoption thereof in committee:

Entity and/or person
European Agency for Special Needs and Inclusive Education
European Disability Forum

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	10.10.2017
Result of final vote	+: 26 -: 0 0: 1
Members present for the final vote	Isabella Adinolfi, Dominique Bilde, Andrea Bocskor, Nikolaos Chountis, Silvia Costa, Mircea Diaconu, Damian Drăghici, Angel Dzhambazki, María Teresa Giménez Barbat, Svetoslav Hristov Malinov, Curzio Maltese, Rupert Matthews, Morten Messerschmidt, Luigi Morgano, Momchil Nekov, Michaela Šojdrová, Helga Trüpel, Sabine Verheyen, Julie Ward, Theodoros Zagorakis, Bogdan Andrzej Zdrojewski, Krystyna Łybacka
Substitutes present for the final vote	Michel Reimon, Remo Sernagiotto
Substitutes under Rule 200(2) present for the final vote	Miltiadis Kyrkos, Jarosław Wałęsa, Patricija Šulin

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

26	+
ALDE	Mircea Diaconu, María Teresa Giménez Barbat
ECR	Angel Dzhambazki, Rupert Matthews, Morten Messerschmidt, Remo Sernagiotto
EFDD	Isabella Adinolfi
GUE/NGL	Nikolaos Chountis, Curzio Maltese
PPE	Andrea Bocskor, Svetoslav Hristov Malinov, Sabine Verheyen, Jarosław Wałęsa, Theodoros Zagorakis, Bogdan Andrzej Zdrojewski, Michaela Šojdrová, Patricija Šulin
S&D	Silvia Costa, Damian Drăghici, Miltiadis Kyrkos, Luigi Morgano, Momchil Nekov, Julie Ward, Krystyna Łybacka
Verts/ALE	Michel Reimon, Helga Trüpel

0	-

1	0
ENF	Dominique Bilde

Key to symbols:

+ : in favour

- : against

0 : abstention

12.9.2017

POSITION IN THE FORM OF AMENDMENTS OF THE COMMITTEE ON WOMEN'S RIGHTS AND GENDER EQUALITY

for the Committee on Employment and Social Affairs
on implementation of the European Disability Strategy
(2017/2127(INI))

Rapporteur Rosa Estaràs Ferragut

AMENDMENTS

The Committee on Women's Rights and Gender Equality calls on the Committee on Employment and Social Affairs, as the committee responsible, to take into account the following amendments:

Amendment 1

Motion for a resolution
Citation 5 a (new)

Motion for a resolution

Amendment

- *having regard to the Convention for the Protection of Human Rights and Fundamental Freedoms (European Treaty Series No 5, 1950) and its protocols,*

Amendment 2

Motion for a resolution
Citation 5 b (new)

Motion for a resolution

Amendment

- *having regard to the European Social Charter (ETS No 35, 1961, revised)*

1996; ETS No 163),

Amendment 3

Motion for a resolution
Citation 5 c (new)

Motion for a resolution

Amendment

- *having regard to Recommendation Rec(2002)5 of the Committee of Ministers to member states of the Council of Europe on the protection of women against violence, and to Recommendation CM/Rec(2007)17 on gender equality standards and mechanisms,*

Amendment 4

Motion for a resolution
Citation 5 d (new)

Motion for a resolution

Amendment

- *having regard to the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979) and its Optional Protocol (1999),*

Amendment 5

Motion for a resolution
Citation 17 a (new)

Motion for a resolution

Amendment

- *having regard to the study of Parliament's Directorate-General for Internal Policies of the Union entitled 'Discrimination Generated by the Intersection of Gender and Disability',*

Amendment 6

Motion for a resolution

Recital A a (new)

Motion for a resolution

Amendment

A a. whereas over 80 million persons with disabilities are living in the EU who are in urgent need of an accessible and prejudice-free environment; whereas one in four Europeans has a family member with a disability; whereas there are approximately 46 million women and girls with disabilities in the EU, comprising about 16 % of its total female population;

Amendment 7

Motion for a resolution

Recital C a (new)

Motion for a resolution

Amendment

C a. whereas multiple discrimination of different forms and shapes on grounds of gender and disability persists and its effects are social (such as lower self-esteem, economic dependency and social isolation), educational (such as high illiteracy rates and lower educational attainment, especially for women) and labour market exclusion (lower participation in the labour market; tendency to occupy low-paid, temporary or precarious jobs), causing further stress and psychological burden for persons with disabilities and their families and carers;

Amendment 8

Motion for a resolution

Recital C b (new)

Motion for a resolution

Amendment

C b. whereas Article 9 CRPD recognises that appropriate measures must be taken to ensure that persons with disabilities, in particular girls and women, can enjoy real access to the physical environment, transport facilities, information and communications, including information and communication technologies, and to other facilities and services that are open to or provided for the public, in both rural and urban areas;

Amendment 9

**Motion for a resolution
Recital C c (new)**

Motion for a resolution

Amendment

C c. whereas persons with disabilities and in particular women with disabilities have lower incomes and often do not own a vehicle; whereas women live longer than their male counterparts and there is a growing need to promote neighbourhood proximity, pedestrian spaces and adjustments to buildings and housing in order to reduce the factors that contribute to their exclusion from socio-economic life, education and the world of work; whereas a well-designed built environment in all public sphere-related activities and services would enable and encourage women, and especially women with disabilities, to participate in socio-economic life;

Amendment 10

**Motion for a resolution
Recital C d (new)**

Motion for a resolution

Amendment

C d. whereas female passengers outnumber male passengers in public transport, taking into consideration that women often have more complex transport patterns as many care for dependent family members, and safe accessibility to transport and to services and products related to transport should be made readily available to persons with disabilities in order to ensure that they can enjoy independent mobility;

Amendment 11

**Motion for a resolution
Recital C e (new)**

Motion for a resolution

Amendment

C e. whereas women and girls with disabilities often suffer from lack of information on and protection of their sexual and reproductive rights and have little or no access to services and products that would enable them to fully enjoy those rights;

Amendment 12

**Motion for a resolution
Recital C f (new)**

Motion for a resolution

Amendment

C f. whereas support, protection, communication, care and health services, such as those related to primary health, violence against women, childcare, motherhood and female sexual and reproductive rights, should be fully accessible in all languages, forms and formats for all women, and especially for women and girls with disabilities;

Amendment 13

Motion for a resolution Recital C g (new)

Motion for a resolution

Amendment

C g. whereas health services personnel should be properly trained in terms of disability-sensitive issues with a view to addressing the needs of persons with disabilities; whereas employing persons with disabilities in health service units will allow patients with disabilities to feel more at ease and feel that there is someone who can understand and address their needs; whereas employing persons with disabilities in public services, such as healthcare services, would also be motivating for those with disabilities;

Amendment 14

Motion for a resolution Recital C h (new)

Motion for a resolution

Amendment

C h. whereas the participation of persons with disabilities, particularly women, in political and public life, where they are often under-represented, needs to be further addressed, in accordance with Article 29 CRPD;

Amendment 15

Motion for a resolution Recital C i (new)

Motion for a resolution

Amendment

C i. whereas, despite the numerous international conventions and provisions of European law, as well as the current

European Disability Strategy, persons with disabilities are still not fully enjoying their citizens' and social rights, since, for example, they do not have fair and equal opportunities to participate in political, social and economic life; whereas women and girls with disabilities remain on the margins of decision-making and progress in gender equality;

Amendment 16

Motion for a resolution Recital C j (new)

Motion for a resolution

Amendment

C j. whereas gender equality was not horizontally mainstreamed in the European Disability Strategy 2010-2020; 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); whereas Articles 21 and 26 of the Charter of Fundamental Rights of the European Union explicitly prohibit discrimination on the grounds of disability and call for the equal participation of persons with disabilities in society; whereas equal treatment can be ensured by applying positive measures and policies for women with disabilities and mothers of children with disabilities; whereas including a gender dimension in the expected post-2020 European Disability Strategy will contribute to an integrated approach to eliminating discrimination against women and girls with disabilities;

Amendment 17

Motion for a resolution Recital C k (new)

Motion for a resolution

Amendment

C k. whereas 75 % of people with severe disabilities do not have the opportunity to participate fully in the European labour market; whereas the proportion of employed women in the EU-28 having a longstanding health problem and/or a basic activity difficulty and reporting that they had used some kind of assistance at work is higher than the equivalent proportion for men; whereas women with disabilities are at greater risk of poverty and therefore the barriers to their participation and inclusion in the labour market, education programmes and social life must be lifted as a matter of urgency;

Amendment 18

**Motion for a resolution
Recital C 1 (new)**

Motion for a resolution

Amendment

C l. whereas 34 % of women with a health problem or a disability have experienced physical or sexual violence by a partner in their lifetime;

Amendment 19

**Motion for a resolution
Paragraph 9 a (new)**

Motion for a resolution

Amendment

9 a. Highlights the importance of optimising the EU Structural Funds in order to promote accessibility and non-discrimination regarding persons with disabilities, paying particular attention to women, and of action to increase the visibility of funding opportunities;

Amendment 20

Motion for a resolution Paragraph 9 b (new)

Motion for a resolution

Amendment

9 b. *Highlights the fact that women and girls with disabilities suffer from double discrimination due to the intersection of gender and disability and may often even be exposed to multiple discrimination arising from the intersection of gender and disability with sexual orientation, age, religion or ethnicity;*

Amendment 21

Motion for a resolution Paragraph 9 c (new)

Motion for a resolution

Amendment

9 c. *Regrets that the European Disability Strategy 2010-2020 currently in force has failed to adopt effective legislative acts, measures and policies to tackle the segregation and rejection of women with disabilities in the labour market, political life, schools and learning environments;*

Amendment 22

Motion for a resolution Paragraph 9 d (new)

Motion for a resolution

Amendment

9 d. *Reiterates that all persons with disabilities should be able to fully enjoy their rights on a basis of inclusion and participation in society;*

Amendment 23

Motion for a resolution Paragraph 9 e (new)

Motion for a resolution

Amendment

9 e. *Stresses with concern that women and girls with disabilities are more likely to become victims of gender-based violence, especially domestic violence and sexual exploitation; points out that this also concerns forced sterilisation and coerced abortion; underlines that all appropriate measures must be taken to avoid all types of abuses and to provide high-quality, accessible and tailor-made support to the victims of violence;*

Amendment 24

Motion for a resolution Paragraph 9 f (new)

Motion for a resolution

Amendment

9 f. *Highlights the fact that the inclusion of persons with disabilities is a fundamental human rights issue that has to be properly addressed at European level;*

Amendment 25

Motion for a resolution Paragraph 9 g (new)

Motion for a resolution

Amendment

9 g. *Reiterates that women with disabilities are often at a greater disadvantage than men with disabilities and are more often at risk of poverty and social exclusion;*

Amendment 26

**Motion for a resolution
Paragraph 9 h (new)**

Motion for a resolution

Amendment

9 h. Calls on the Commission and the Member States to introduce policies to enable and encourage the participation of women and girls with disabilities in public, social, economic and political life; underlines that women and girls with disabilities, through their representative organisations, should be closely consulted and actively involved in developing and implementing legislation and policies ensuring non-discrimination and equal opportunities; calls for a genuine structured dialogue between the EU and organisations representing persons with disabilities for the drafting of the post-2020 European Disability Strategy;

Amendment 27

**Motion for a resolution
Paragraph 9 i (new)**

Motion for a resolution

Amendment

9 i. Insists that disability policies should be gender mainstreamed;

Amendment 28

**Motion for a resolution
Paragraph 9 j (new)**

Motion for a resolution

Amendment

9 j. Underlines that the European Disability Strategy 2010-2020 should include an integrated gender perspective or a separate chapter on gender-specific

disability policies;

Amendment 29

**Motion for a resolution
Paragraph 9 k (new)**

Motion for a resolution

Amendment

9 k. *Underlines the importance of mainstreaming disability in gender policies and programmes;*

Amendment 30

**Motion for a resolution
Paragraph 9 l (new)**

Motion for a resolution

Amendment

9 l. *Highlights the need for role models for women and girls with disabilities, to include mentoring and support networks;*

Amendment 31

**Motion for a resolution
Paragraph 9 m (new)**

Motion for a resolution

Amendment

9 m. *Underlines that women with disabilities must enjoy the rights to education, healthcare, employment, mobility, family life, sexual relations, marriage and motherhood, as well as the safeguards guaranteeing those rights;*

Amendment 32

**Motion for a resolution
Paragraph 9 n (new)**

Motion for a resolution

Amendment

9 n. *Emphasises that more must be done to overcome stereotypes and prejudice about disability, and that women and girls with disabilities need to have greater visibility in the media in order to change prevalent exclusionary social norms; calls on the Commission and Member States to invest in public awareness initiatives to this effect;*

Amendment 33

**Motion for a resolution
Paragraph 9 o (new)**

Motion for a resolution

Amendment

9 o. *Highlights that more recognition and support must be given to those with hidden or invisible disabilities, particularly women and girls, who may face specific challenges and barriers;*

Amendment 34

**Motion for a resolution
Paragraph 9 p (new)**

Motion for a resolution

Amendment

9 p. *Reiterates the fact of the disproportionate impact of economic austerity policies and public sector budget cuts on persons with disabilities, especially women and girls, often putting their wellbeing, health and even lives at risk;*

Amendment 35

**Motion for a resolution
Paragraph 9 q (new)**

Motion for a resolution

Amendment

9 q. *Calls for specific policy measures to address violence and abuse affecting persons with disabilities and learning difficulties, particularly women and girls, including online intimidation, bullying and harassment, as well as violence in situations of formal and informal care;*

Amendment 36

**Motion for a resolution
Paragraph 9 r (new)**

Motion for a resolution

Amendment

9 r. *Emphasises the role of trade unions, employers' associations and training and lifelong learning organisations in addressing the multiple discrimination faced by women and girls with disabilities and the barriers to their inclusion;*

Amendment 37

**Motion for a resolution
Paragraph 9 s (new)**

Motion for a resolution

Amendment

9 s. *Asks the Commission and the Member States to implement gender mainstreaming in all relevant areas of disability policy;*

Amendment 38

**Motion for a resolution
Paragraph 9 t (new)**

Motion for a resolution

Amendment

9 t. *Emphasises that women and girls with disabilities must be informed of their rights and of the citizens' services available to them (education, health, justice, transport, dealings with the authorities, etc); underlines that this information must be provided in a simple and secure way, taking into account the different communication methods, media and formats chosen by them and, where applicable, the extent of their mental disability, so that they can make decisions for themselves;*

Amendment 39

**Motion for a resolution
Paragraph 9 u (new)**

Motion for a resolution

Amendment

9 u. *Considers that the European Institute for Gender Equality should provide guidance at European and Member State level as regards the specific situation of women and girls with disabilities, and should play an active role in advocacy work to secure equal rights and combat discrimination;*

Amendment 40

**Motion for a resolution
Paragraph 9 v (new)**

Motion for a resolution

Amendment

9 v. *Stresses that it is necessary to ensure that women and girls with disabilities are able to live independently and participate fully in all areas of life on an equal basis with others, and especially on an equal basis with their reference populations; therefore, appropriate*

measures must be taken to ensure that girls and women with disabilities enjoy real access to the physical environment, to transport, to information and communications, including information and communications technologies and systems, and to other facilities and services open to or provided for the public, both in urban and in rural areas; underlines that in order to properly mainstream gender in disability measures, planning, projects, programmes and reporting, safeguards must be in place to ensure that women with disabilities can participate in such processes in the relevant bodies or authorities, preferably as consultants, advisors or experts, in order to make sure that when designing environments, goods and services the specific needs and demands of the female population with disabilities are taken into consideration;

Amendment 41

Motion for a resolution Paragraph 9 w (new)

Motion for a resolution

Amendment

9 w. *Reiterates its call on the Commission to submit a comprehensive European strategy to fight violence against women which contains a legislative instrument for preventing and combating gender-based violence, paying particular attention to women and girls with disabilities;*

Amendment 42

Motion for a resolution Paragraph 9 x (new)

Motion for a resolution

Amendment

9 x. *Encourages the Member States to adopt measures to ensure that girls and women with disabilities can enjoy their sexual and reproductive health rights, including sexual education adapted where necessary to the intellectual ability of the disabled woman or girl concerned, based on the free and informed consent of the individuals concerned and paying due regard to their physical integrity, freedom of choice and self-determination;*

Amendment 43

**Motion for a resolution
Paragraph 9 y (new)**

Motion for a resolution

Amendment

9 y. *Recalls that combating poverty and social exclusion among persons with disabilities is closely linked to the issue of better conditions for family members who often act as unpaid carers and are not considered employed persons; encourages the Member States, therefore, to present national support strategies for informal carers, who are mostly female relatives of persons with disabilities;*

Amendment 44

**Motion for a resolution
Paragraph 9 z (new)**

Motion for a resolution

Amendment

9 z. *Highlights the value of micro financial instruments for job creation and growth; calls on the Member States to make such instruments more easily available to women with disabilities;*

Amendment 45

Motion for a resolution Paragraph 9 aa (new)

Motion for a resolution

Amendment

9 aa. *Highlights the importance of independent living for persons with disabilities; calls on the Commission to present a comprehensive European strategy for deinstitutionalisation, also taking into account specific issues of women with disabilities;*

Amendment 46

Motion for a resolution Paragraph 9 ab (new)

Motion for a resolution

Amendment

9 ab. *Underlines that in order to ensure independent living for persons with disabilities, it is necessary to support research and innovation with regard to developing products to help persons with disabilities in their everyday activities;*

Amendment 47

Motion for a resolution Paragraph 9 ac (new)

Motion for a resolution

Amendment

9 ac. *Underlines that the number of elderly people is increasing and that according to the WHO disability prevalence is higher among women, who are particularly affected by this phenomenon owing to their longer life expectancy; stresses that, therefore, there will be a proportionate increase in the numbers of women with disabilities;*

Amendment 48

Motion for a resolution Paragraph 9 ad (new)

Motion for a resolution

Amendment

9 ad. Reiterates the urgent need to address the issue of violence against women and girls with disabilities in public, private and institutional environments; welcomes the decision of the Council for the EU to become a party of the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention), as an important step in combating violence against women and girls with disabilities; regrets that the Council has limited the EU accession to two areas, namely cooperation in judicial matters and matters concerning refugees and asylum-seekers and non-refoulement;

Amendment 49

Motion for a resolution Paragraph 9 ae (new)

Motion for a resolution

Amendment

9 ae. Emphasises that women and girls with disabilities, including those belonging to marginalised and vulnerable groups, such as women refugees, migrants and asylum seekers or Roma, as well as LGBTI people, are facing multiple discrimination, and must therefore be enabled and empowered so that they can participate in political life and decision-making processes in order to ensure that their interests are expressed and their rights are supported and protected, thus creating a genuine grassroots gender perspective; calls on the Member States to provide suitably adapted services and facilities that would ensure empowerment with a view to active involvement and

participation, and to invest in assistive and adaptive technologies and e-inclusion;

Amendment 50

Motion for a resolution Paragraph 9 af (new)

Motion for a resolution

Amendment

9 af. Underlines that in order to achieve autonomous and independent living for persons with disabilities, especially women, individually and personally provided assistance is a suitable means of supporting them and their families, enabling them to access the workplace and educational and training institutions, as well as offering support in the event of pregnancy and motherhood;

Amendment 51

Motion for a resolution Paragraph 10 a (new)

Motion for a resolution

Amendment

10 a. Calls on the Commission to address disability in its Strategic Engagement for Gender Equality 2016-2019;

Amendment 52

Motion for a resolution Paragraph 11 a (new)

Motion for a resolution

Amendment

11 a. Denounces 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;

Amendment 53

Motion for a resolution Paragraph 12 a (new)

Motion for a resolution

Amendment

12 a. Insists that gender-disaggregated data must be collected in order to identify the forms of intersectional multiple discrimination that are faced by women and girls with disabilities, in all areas covered by the Istanbul Convention and wherever relevant;

Amendment 54

Motion for a resolution Paragraph 18 a (new)

Motion for a resolution

Amendment

18 a. Stresses the importance of integrating women with disabilities into standard educational and professional systems;

Amendment 55

Motion for a resolution Paragraph 26 a (new)

Motion for a resolution

Amendment

26 a. Considers that women and girls with disabilities must have full access to medical care that meets their particular needs, including gynaecological consultation, medical examinations, family planning, and adapted support

during pregnancy; urges the Member States to ensure that their national public healthcare provision includes proper access to these services;

Amendment 56

Motion for a resolution Paragraph 26 b (new)

Motion for a resolution

Amendment

26 b. Draws attention to the shortcomings (e.g. inaccessible cancer screening facilities for women in a wheelchair, lack of information material adapted to persons with disabilities) that persist in the provision of healthcare for persons with disabilities; encourages the Member states to provide appropriate education and training for health personnel regarding the specific needs of patients with disabilities;

Amendment 57

Motion for a resolution Paragraph 26 c (new)

Motion for a resolution

Amendment

26 c. Highlights the need to ensure, in all Member States, accessible health and care services, as well as the support which people with disabilities need, so as to facilitate their social inclusion; also highlights that equal opportunities can only be achieved if the right to inclusion and participation is granted at all levels and types of life;

Amendment 58

Motion for a resolution Paragraph 34 a (new)

Motion for a resolution

Amendment

34 a. *Reiterates that women with disabilities often face even bigger challenges and dangers in countries involved in conflict and in conflict zones; highlights, therefore, the need to protect women with disabilities, in the EU's external policies;*

Amendment 59

Motion for a resolution
Paragraph 35 a (new)

Motion for a resolution

Amendment

35 a. *Urges the EU institutions to ensure that their internet-based content and applications, as well as essential documents and audiovisual content, are accessible, while also ensuring the physical accessibility of their buildings;*

Amendment 60

Motion for a resolution
Paragraph 35 b (new)

Motion for a resolution

Amendment

35 b. *Underlines the need to facilitate the effective participation and freedom of expression of persons with disabilities in the context of public events or meetings hosted by the EU institutions or held on their premises, by providing captioning and sign-language interpretation, and documents in Braille and in easy-to-read formats;*

Amendment 61

Motion for a resolution
Paragraph 44 a (new)

Motion for a resolution

Amendment

44 a. Calls on the Commission to present a proposal for the European Disability Strategy 2020-2030 that fully integrates the CRPD provisions in future EU legislation and policies and is consistent with the UN Convention on the Rights of the Child and the Strategic Engagement for Gender Equality 2016-2019, so as to ensure that women and girls with disabilities can fully enjoy their rights like any other person;

Amendment 62

Motion for a resolution
Paragraph 44 b (new)

Motion for a resolution

Amendment

44 b. Urges the Commission to come forward with a consolidated proposal within the post-2020 European Disability Strategy, and to adopt effective measures to prevent violence against women and children with disabilities which target families, communities, professionals and institutions; highlights the important role that educational institutions such as schools play in promoting social inclusion, and points to the need for a gender-mainstreamed educational policy to be adopted across the Member States;

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	4.9.2017
---------------------	----------

11.9.2017

OPINION OF THE COMMITTEE ON PETITIONS

for the Committee on Employment and Social Affairs

on implementation of the European Disability Strategy
(2017/2127(INI))

Rapporteur: Cecilia Wikström

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. Recalls that the Committee on Petitions (PETI) receives a considerable number of petitions each year referring to the difficulties encountered by people with disabilities across the EU in their everyday activities in relation to the eight main areas of action identified in the European Disability Strategy and other accessibility issues, such as access to healthcare and social protection, education and training, the labour market, the built environment and transport, goods and services, information and communication, and participation in political, public and cultural life; highlights the challenges identified in the progress report on the implementation of the European Disability Strategy (2010-2020) on access to transport and the built environment, and calls for the swift adoption and implementation of upcoming EU requirements on accessibility; stresses that discrimination represents one of the main obstacles to the effective implementation of the European Disability Strategy;
2. Notes that the EU leads the way in the ratification of human rights treaties, and that Articles 21 and 26 of the EU Charter of Fundamental Rights reaffirm the principle of non-discrimination; calls on all Member States to ratify the UN Convention on the Rights of Persons with Disabilities (UNCRPD) and to sign the Protocol;
3. Stresses the centrality of the UNCRPD as a tool for the protection of human rights, in particular for people with disabilities who represent a particularly vulnerable category;
4. Calls on the Commission to pay particular attention to children with disabilities in accordance with the UNCRPD, and in line with the UN Convention on the Rights of the Child;

5. Highlights the protection role played by the Committee on Petitions through the petition process (alongside the European Ombudsman, appointed to protect citizens in the event of maladministration) in the context of the EU framework for the UNCRPD, enabling the petitioner to lodge a complaint against an infringement of their rights on the part of European, national and local authorities; stresses that the petitions received by the Committee illustrate the need to adopt an effective, horizontal, non-discriminatory and human rights-based approach to disability policies; stresses the role of the European Union Agency for Fundamental Rights in strengthening the fundamental rights for people with disabilities in the EU and in supporting the EU's implementation of the UNCRPD;
6. Points out that the petitions that have received most attention have often been backed by civil society organisations representing people with disabilities, and a need therefore exists to promote and publicise the protection role and effectiveness of petitions based on infringements of these rights; praises the role played by these organisations in promoting social inclusion and an improvement in the quality of life of persons with disabilities, and considers that this task should be further supported by public institutions;
7. Recognises the UNCRPD's role as an instrument for guaranteeing human rights with a social dimension, seeking to ensure that persons with disabilities enjoy all human and fundamental rights which are so often violated and which need greater protection;
8. Calls on the Commission, following the recommendations of the first UN assessment of the UNCRPD, to establish an independent instrument for the monitoring and review of the Convention, as well as an inter-institutional coordination mechanism, and to promote the creation of local information points and agencies in each Member State, which should be permanent;
9. Emphasises, in particular, that accessibility is a core principle of the UNCRPD, and a precondition for the exercise of other rights enshrined in the Convention; underlines that a consistent number of petitions lodged by European citizens complain about the lack of accessibility or the presence of architectural barriers; stresses that the right to accessibility, as defined in Article 9 of the UNCRPD, must be implemented in a comprehensive manner to ensure that persons with disabilities can access their environment, transportation, public facilities and services, as well as information and communications technologies; calls on the Commission and the Member States to ensure that accessibility is a high priority and that it is better integrated into all disability policy areas;
10. Recalls that the UNCRPD Committee, in its Concluding Observations, noted that the austerity measures adopted by the EU and the Member States worsened the standard of living of persons with disabilities, leading to greater poverty and higher levels of social exclusion as well as cuts in social and community-based services and support to families;
11. Notes that, with reference to Article 4 of the UNCRPD, efforts should be made to modify European and Member States' disability legislation to ensure full harmonisation in all areas, and calls for the effective involvement of representatives of disability organisations in this process;

12. Calls on the Commission to ensure high-quality inclusive education in European schools from an early age, with a preventive approach and a vision of disability, in line with UNCRPD requirements on the multidisciplinary assessment of individual needs, the non-exclusion of children with disabilities, as well as the provision of adequate reasonable accommodation;
13. Urges both the EU and the Member States to adopt the necessary legislation to fully and consistently comply with the UNCRPD, guaranteeing, inter alia, adequate levels of disability-related benefits, community-based and health services and high quality education and training programmes;
14. Highlights that the Court of Justice of the European Union, in its opinion of 14 February 2017, indicated that the EU has exclusive competence in relation to the conclusion of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, as the body of the obligations of the Marrakesh Treaty falls within an area that is already covered, to a large extent, by common EU rules;
15. Notes that, in accordance with the UN recommendations, disability organisations should be involved at every stage of the decision-making process; recalls that a structured dialogue should be established with persons with disabilities;
16. Calls on the Commission to draft a report on the impact on persons with disabilities of the main EU policies and investment funds, and to ensure the involvement of disability organisations in their design, especially where the Structural Funds are concerned;
17. Recalls that the Committee on Petitions has been advocating the adoption of a binding treaty related to access by blind and visually impaired persons to published works since 2011; welcomes the inter-institutional agreement reached to implement the Marrakesh Treaty in EU copyright law, and reiterates its call for a swift ratification of the Marrakesh Treaty by the EU and its Member States;
18. Notes that the Committee on Petitions is regularly approached with questions relating to the right of people with disabilities to live independently, as enshrined in Article 19 of the UNCRPD, and has encouraged the development of more inclusive communities and institutionalisation systems where requested, so that in both cases people with disabilities can receive appropriate support and assistance across the EU, thereby fostering the aim of greater autonomy within each individual's possibilities; recalls that PETI conducted a fact-finding mission to Slovakia in September 2016 to seek information on the use of European Structural and Investment Funds (ESIFs) in facilitating the transition from the institutional care of people with disabilities to community-based services;
19. Persons with disabilities must be provided with information concerning their rights and be allowed to participate fully in all policies and measures that might affect them, including a complaints mechanism, and priority should be given to the participation of children with disabilities and, where these exist, organisations for persons with disabilities;
20. Notes that in Europe, 30 % of people with disabilities are at risk of poverty or social

exclusion, and that there is a net gap between the employment rates of the disabled (48.7 %) and other people (72.5 %); stresses the importance, in light of the above, of a global work and employment strategy;

21. Underlines that children with disabilities encounter specific problems, and stresses that efforts should be made to eliminate all kinds of obstacles and barriers, thereby enabling them to achieve full autonomy and enjoy equal opportunities; considers it crucial, therefore, that they be involved in shaping the policies that affect them; encourages, to this end, the adoption of instruments to enable children with disabilities to make their views known, and to ensure their involvement;
22. Stresses that adequate social support must be provided to people with disabilities, and that access to justice, adequate care, and health protection should always be at the heart of such action;
23. Recalls that the rights established in the Treaties and EU law, such as access to justice, goods and services, including banking and employment, health care and the right to vote, must be ensured for persons with disabilities deprived of their legal capacity; notes that efforts should be made to promote the collection of data, the exchange of good practices and consultation with the representatives of disability organisations in accordance with Article 12 of the UNCRPD; emphasises that restrictive interpretations in Member States' legislation of safeguards in relation to the right to vote should be revised where these prevent persons with psychosocial disabilities from exercising this right in accordance with Article 29 of the UNCRPD;
24. Stresses that a poor level of education can be the source of social exclusion and that only 27.8 % of people with disabilities have completed higher studies; recalls that the right to study, to a good level of education, and access to schools and universities should not be subject to discrimination and should be adequately guaranteed and promoted;
25. Underlines that the European institutions should ensure and implement the accessibility of documents and IT services to people with disabilities;
26. Stresses that the public administrations of the Member States, and in particular local authorities, which are closer to the citizens and their daily needs, should ensure the maximum accessibility of their services, documents and practices to people with disabilities; underlines that such measures should also involve the services provided via the Internet and web pages;
27. Underlines the centrality of the right of all persons with disabilities to live independently, and calls on the Commission to enhance the optimal use of ESIFs by Member States, with a view to developing high-quality social services for people with disabilities, realising the deinstitutionalisation process, raising awareness about disability issues and promoting equal opportunities at regional, national and EU levels; stresses that measures should be taken to promote access to structural funds for disability support services, especially those serving children and families and those aimed at preventing institutionalisation;
28. Notes that the freedom of movement for European citizens must be guaranteed for

persons with disabilities, to which end the Member States must ensure the mutual recognition of their situation and social rights pursuant to Article 18 of the UNCRPD; stresses that people with disabilities should be able to travel beyond the borders of their own countries and enjoy the benefits of having access to culture, transport and sport; notes that other benefits should be examined and their mutual recognition promoted;

29. Recalls the role of the Disability Intergroup of the European Parliament for the implementation of the European Disability Strategy, in accordance with the UN Convention, as a platform that brings together members of the European and national Parliaments and representatives of organisations and civil society, both at national and local level; notes that the Intergroup is a privileged forum for encouraging discussions and debates in order to ensure the implementation of the strategy;
30. Stresses that persons with disabilities should be afforded free access to justice, and that their economic situation should therefore not present any barrier to such access;
31. Calls for stronger political participatory channels for disabled organisations in order to achieve their full participation in decision-making;
32. Emphasises the centrality of maximum mobility and accessibility as guidelines to be implemented and followed in the framework of the implementation of the European Disability Strategy;
33. Notes that the Digital Single Market Strategy should be implemented in such a way as to ensure full access to all of its aspects for persons with disabilities;
34. Notes that the transversal nature of mobility and accessibility makes them indispensable for the full enjoyment of a wide range of freedoms and rights, such as the possibility of travelling and moving to other Member States, the right to culture and the right to sport;
35. Calls on the European institutions to ensure that all of their web pages and documents are accessible to persons with sensory disabilities;
36. Stresses that legal capacity is crucial to maintaining personal autonomy, so that any restrictions to it and representation by legal guardians must be established on the basis of clear criteria harmonised at EU level, with a periodic review of the need for such longer-term legal representation and of the suitability of the legal guardian concerned;
37. Considers that a significant number of people with disabilities are not fully aware of their rights and of the ways in which they can enjoy them; calls on the Commission to launch, as a first step, a wide-ranging information campaign on the rights of people with disabilities, to promote full knowledge and awareness;
38. Emphasises that most of the petitions submitted by European citizens concern the difficulties involved in the application procedures, in obtaining recognition and in relation to late payments of invalidity pensions by the relevant administrations; underlines that the implementation of the European Disability Strategy and its social protection area for action should pay special attention to these issues, in accordance with Article 28 of the UNCRPD on the adequate standard of living and social protection;

39. Emphasises that the necessary social support should be provided to ensure that persons with disabilities, in particular persons with psychosocial disabilities, can exercise their rights and enjoy full autonomy; notes, in this regard, that the institutionalisation of such people should be avoided and steps should be taken to ensure that they are not subjected to treatment without their consent;
40. Notes 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 must be ensured in relation to sexual and reproductive health care, and that under no circumstances should sterilisation or abortion be imposed against a person's will; notes that health care systems should, moreover, ensure the detection, reporting and prevention of sexual violence and/or abuse;
41. Calls on the Commission to formulate policies and programmes specifically aimed for children with disabilities; stresses that such policies should not only focus on removing architectural barriers and obstacles to mobility, but also on combating social exclusion, as well as promoting and guaranteeing equal opportunities;
42. Notes 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 put in place to ensure that these principles are complied with; notes that similar, appropriate measures must also be taken in relation to persons with psychosocial disabilities;
43. Calls on the Commission to strengthen its commitment towards the parents and caregivers of people with disabilities throughout its programmes and policies; stresses the need for a European juridical framework in order to clarify the status of these people, ensuring the protection of their rights and access to a normal life;
44. Notes that health insurance schemes must not discriminate against persons with disabilities;
45. Notes that the impact of the cross-border health directive on persons with disabilities should be assessed;
46. Underlines that inequality is especially evident in employment, as 48 % of persons with disabilities in the EU are employed and only 27.8 % have completed a higher education course, which means that persons with disabilities are more at risk of living in poverty; calls on the Commission to undertake a horizontal assessment of the impact of all its policies, in particular of European employment policy, on the employment of persons with disabilities;
47. Notes that the air and maritime transport regulations should be revised to ensure that no form of discrimination, physical or economic, can be practiced against passengers with disabilities, and that all obstacles are removed in this respect;
48. Stresses that the UN recommendation on the need to ensure a gender perspective in all

disability policies should be taken up, in particular, policies seeking to combat gender violence; calls for targeted action to promote the empowerment of women with disabilities as well as the development of a specific gender strategy for women with disabilities.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	7.9.2017
Result of final vote	+: 26 -: 0 0: 0
Members present for the final vote	Margrete Auken, Beatriz Becerra Basterrechea, Pál Csáky, Eleonora Evi, Lidia Joanna Geringer de Oedenberg, Peter Jahr, Rikke Karlsson, Jude Kirton-Darling, Svetoslav Hristov Malinov, Notis Marias, Roberta Metsola, Marlene Mizzi, Gabriele Preuß, Virginie Rozière, Sofia Sakorafa, Jarosław Wałęsa, Cecilia Wikström, Tatjana Ždanoka
Substitutes present for the final vote	Michela Giuffrida, Anne-Marie Mineur, Demetris Papadakis, Julia Pitera, Rainer Wieland
Substitutes under Rule 200(2) present for the final vote	Frank Engel, Monika Hohlmeier, Maria Lidia Senra Rodríguez

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

26	+
ALDE	Beatriz Becerra Basterrechea; Cecilia Wikström
GUE/NGL	Anne-Marie Mineur, Maria Lidia Senra Rodríguez, Sofia Sakorafa,
ECR	Rikke Karlsson, Notis Marias,
EFDD	Eleonora Evi
PPE	Pál Csáky, Peter Jahr, Svetoslav Hristov Malinov, Roberta Metsola, Jarosław Wałęsa, Monika Hohlmeier, Frank Engel, Julia Pitera, Rainer Wieland
S&D	Lidia Joanna Geringer de Oedenberg, Jude Kirton-Darling, Marlene Mizzi, Gabriele Preuß, Virginie Rozière, Michela Giuffrida, Demetris Papadakis,
VERTS/ALE	Margrete Auken, Tatjana Ždanoka

0	-
-	-

0	0
-	-

Key to symbols:

+ : in favour

- : against

0 : abstention

INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

Date adopted	19.10.2017
Result of final vote	+: 39 -: 0 0: 2
Members present for the final vote	Guillaume Balas, Vilija Blinkevičiūtė, Enrique Calvet Chambon, David Casa, Ole Christensen, Lampros Fountoulis, Arne Gericke, Marian Harkin, Czesław Hoc, Agnes Jongerius, Jan Keller, Ádám Kósa, Agnieszka Kozłowska-Rajewicz, Jean Lambert, Jérôme Lavrilleux, Patrick Le Hyaric, Javi López, Thomas Mann, Dominique Martin, Anthea McIntyre, Elisabeth Morin-Chartier, Georgi Pirinski, Marek Plura, Dennis Radtke, Sofia Ribeiro, Robert Rochefort, Jutta Steinruck, Yana Toom, Marita Ulvskog, Tatjana Ždanoka
Substitutes present for the final vote	Georges Bach, Mircea Diaconu, Jasenko Selimovic, Helga Stevens, Tom Vandenkendelaere, Flavio Zanonato
Substitutes under Rule 200(2) present for the final vote	José Blanco López, Gilles Lebreton, Jens Nilsson, Wim van de Camp, Igor Šoltes

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

39	+
ALDE	Enrique Calvet Chambon, Mircea Diaconu, Marian Harkin, Robert Rochefort, Jasenko Selimovic, Yana Toom
ECR	Arne Gericke, Czesław Hoc, Anthea McIntyre, Helga Stevens
GUE/NGL	Patrick Le Hyaric
NI	Lampros Fountoulis
PPE	Georges Bach, David Casa, Agnieszka Kozłowska-Rajewicz, Ádám Kósa, Jérôme Lavrilleux, Thomas Mann, Elisabeth Morin-Chartier, Marek Plura, Dennis Radtke, Sofia Ribeiro, Tom Vandenkendelaere, Wim van de Camp
S&D	Guillaume Balas, José Blanco López, Vilija Blinkevičiūtė, Ole Christensen, Agnes Jongerius, Jan Keller, Javi López, Jens Nilsson, Georgi Pirinski, Jutta Steinruck, Marita Ulvskog, Flavio Zanonato
VERTS/ALE	Jean Lambert, Igor Šoltés, Tatjana Ždanoka
0	-
2	0
ENF	Gilles Lebreton, Dominique Martin

Key to symbols:

+ : in favour

- : against

0 : abstention