

WRITTEN QUESTION E-0961/02
by Reinhold Messner (Verts/ALE)
to the Commission

Subject: Discrimination against people with disabilities

According to Article 6 of the EU Treaty, the European Union is based on the principles of freedom, democracy, respect for human rights and fundamental freedoms and the rule of law. Under Article 13 of the Amsterdam Treaty the Union can take appropriate measures to combat discrimination on grounds of disability. Article 1 of Directive 2000/78/EC¹ states that ‘the purpose of this Directive is to lay down a general framework for combating discrimination on the grounds of [...] disability, age or sexual orientation as regards employment and occupation, with a view to putting into effect in the Member States the principle of equal treatment’. Article 2 goes on to say that ‘indirect discrimination shall be taken to occur where an apparently neutral provision, criterion or practice would put persons having [...] a particular disability [...] at a particular disadvantage compared with other persons’.

Against this background, how does the Commission view the decree of the South Tyrol provincial government which entered into force on 1 November 2001, whereby people with disabilities can be required to pay a contribution of up to € 500 per month for a place in sheltered employment, up to € 400 per month for a place in a rehabilitation centre and approximately € 2000 per month for a place in sheltered accommodation for people with disabilities?

Does the Commission not take the view that this system puts people with disabilities at a particular disadvantage and undermines the aims set out in the EC Treaty, particularly that of ‘the attainment of a high level of [...] social protection, raising the standard of living and the quality of life, economic and social cohesion and solidarity’ (Directive 2000/78/EC, Recital 11).

¹ OJ L 303, 2.12.2000, p. 16.