



2020/2209(INI)

27.4.2021

AMENDMENTS

1 - 50

Draft opinion
Tom Vandendriessche
(PE691.182v01-00)

The protection of persons with disabilities through petitions: lessons learnt
(2020/2209(INI))

Amendment 1
Anne-Sophie Pelletier

Draft opinion
Recital A (new)

Draft opinion

Amendment

A. whereas the EU and the Member States should adopt all appropriate legislative, administrative and other measures for the implementation of the rights recognized in the CRPD, including legislation to modify or abolish existing laws, regulations, customs and practices that constitute discrimination against persons with disabilities; whereas the EU and the Member States should take into account the protection and promotion of the fundamental rights of persons with disabilities in all policies and programs;

Or. en

Amendment 2
Anne-Sophie Pelletier

Draft opinion
Recital A a (new)

Draft opinion

Amendment

Aa. whereas it's indispensable for the EU Institutions' websites to set up the necessary technical specifications in order to be accessible to persons with disabilities, so that they can receive correct and direct information on all issues that concern them, with the aim of increasing the accessibility of documents, videos and websites and promoting alternative means of communication;

Or. en

Amendment 3
Tom Vandendriessche

Draft opinion
Paragraph -1 (new)

Draft opinion

Amendment

-1. Calls for the effective implementation of the Convention on the Rights of Persons with Disabilities, in particular with regard to the ongoing COVID-19 pandemic, in key areas of life for persons with disabilities; recalls that this implementation should be accompanied by proper national integration strategies;

Or. en

Amendment 4
Tom Vandendriessche

Draft opinion
Paragraph -1 a (new)

Draft opinion

Amendment

-1a. Stresses that any processing of personal data must fully comply with the Regulation (EU)2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (GDPR); underlines that, pursuant to the GDPR, the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health (sensitive personal data) is prohibited unless it is expressly grounded on any of the specific legal basis referred to in the GDPR for the processing of sensitive personal data, and in addition with compliance of the general

principles and other rules of GDPR, in particular as regards the conditions for lawful processing;

Or. en

Amendment
Ioan-Rareş Bogdan
Draft opinion
Paragraph – 1 (new)

Draft opinion

Amendment

-1. Calls on the Member States to mount information campaigns drawing attention to the disability-related issues;

Or. en

Amendment 6
Sylwia Spurek

Draft opinion
Paragraph 1

Draft opinion

Amendment

1. Stresses that persons with disabilities are entitled to enjoy their fundamental rights on an equal basis; calls on the Member States to take appropriate measures to *provide* effective access to justice for persons with disabilities; emphasises that facilities and services must be accessible to ensure equal access to justice;

1. Stresses that persons with disabilities are entitled to enjoy their fundamental rights on an equal basis; ***underlines that no barriers should hinder the access of persons with disabilities to legal recourse; stresses the need to ensure effective access to justice for persons with disabilities and to recognize that persons with disabilities enjoy legal capacity on an equal basis with others; calls on the Members States to ensure that all persons with disabilities who have been deprived of their legal capacity can exercise all the rights enshrined in European Union Treaties and legislation; further calls on the Member States to take appropriate measures to *guarantee affordable, safe and* effective access to justice for persons***

with disabilities ***and to ensure their right to information and communication at all stages of the process***; emphasises that facilities and services must be accessible to ensure equal access to justice ***and appropriate assistance to those people who experience difficulty in exercising their legal capacity should be provided***;

Or. en

Amendment 7

Yana Toom, Abir Al-Sahlani, Hilde Vautmans, Olivier Chastel

Draft opinion

Paragraph 1

Draft opinion

1. Stresses that persons with disabilities are entitled to enjoy their fundamental rights on an equal basis; calls on the Member States to take appropriate measures to provide effective access to justice for persons with disabilities; emphasises that facilities and services must be accessible to ensure equal access to justice;

Amendment

1. Stresses that persons with disabilities are entitled to enjoy their fundamental rights on an equal basis; calls on the Member States to take appropriate measures to provide effective access to justice for persons with disabilities; emphasises that facilities and services must be accessible to ensure equal access to justice; ***urges to pay special attention to women with disabilities as they are two to five times more likely to experience violence than other women^{1a}***;

^{1a} *European Commission, 'Union of Equality, Strategy for the Rights of Persons with Disabilities 2021-2030' (3 March 2021), p.16, <https://op.europa.eu/en/publication-detail/-/publication/3e1e2228-7c97-11eb-9ac9-01aa75ed71a1/language-en>*

Or. en

Amendment 8

Dragoş Tudorache

Draft opinion
Paragraph 1

Draft opinion

1. Stresses that persons with disabilities are entitled to enjoy their fundamental rights on an equal basis; calls on the Member States to take appropriate measures to provide effective access to justice for persons with disabilities; emphasises that facilities and services must be accessible to ensure equal access to justice;

Amendment

1. Stresses that persons with disabilities are entitled to enjoy their fundamental rights on an equal basis; calls on the Member States to take appropriate ***and timely*** measures to provide effective, ***fair and inclusive*** access to ***the*** justice ***system and the law enforcement*** for persons with ***all kinds of*** disabilities; emphasises that facilities and services must be accessible to ensure equal access to justice ***and the entire legal process without discrimination***;

Or. en

Amendment 9
Tudor Ciuhodaru

Draft opinion
Paragraph 1

Draft opinion

1. Stresses that persons with disabilities are entitled to enjoy their fundamental rights on an equal basis; calls on the Member States to take appropriate measures to provide effective access to justice for persons with disabilities; emphasises that facilities and services must be accessible to ensure equal access to justice;

Amendment

1. Stresses that persons with disabilities are entitled to enjoy their fundamental rights on an equal basis; calls on the Member States to take appropriate measures to provide effective access to justice for persons with disabilities; emphasises that facilities and services must be accessible, ***developed and adapted*** to ensure equal access to justice;

Or. ro

Amendment 10
Anne-Sophie Pelletier

Draft opinion

Paragraph 1 a (new)

Draft opinion

Amendment

1a. Strongly regrets that persons with disabilities are too often denied access to justice; stresses the important role NGOs play in facilitating their access to justice when persons with disabilities experience fundamental rights violations and believes that, in exceptional circumstances, NGOs should be allowed to lodge applications with the Court on behalf of victims, even in the absence of specific authorisation;

Or. en

**Amendment 11
Dragoş Tudorache**

**Draft opinion
Paragraph 1 a (new)**

Draft opinion

Amendment

1a. Stresses that regular awareness trainings for justice and law enforcement representatives on crisis intervention / management and conflict de-escalation when interacting with persons with specific disabilities need to be increased;

Or. en

**Amendment 12
Anne-Sophie Pelletier**

**Draft opinion
Paragraph 1 b (new)**

Draft opinion

Amendment

1b. Stresses that imprisonment of persons whose disability is incompatible with detention must be prevented and that

alternatives to prison sentences should be provided; calls on the Member States to ensure that the fundamental principles of equality of treatment, non-discrimination, reasonable accommodation and accessibility are respected for detainees with disabilities;

Or. en

Amendment 13
Sylwia Spurek

Draft opinion
Paragraph 2

Draft opinion

2. Calls for policies to promote digital public services that are accessible for persons with disabilities; recalls that information should be accessible, in particular by using simple and understandable language and illustrations for persons with learning impairments¹ ;

¹ Petition No 1305/2015.

Amendment

2. Calls for policies to ***ensure access to information and communications for persons with disabilities and to promote public services, including*** digital public services, that are accessible for persons with disabilities; recalls that information should be accessible, in particular by using simple and understandable language and illustrations for persons with learning impairments¹ ;

¹ Petition No 1305/2015.

Or. en

Amendment 14
Tudor Ciuhodaru

Draft opinion
Paragraph 2

Draft opinion

2. Calls for policies to promote digital public services that are accessible for persons with disabilities; recalls that

Amendment

2. Calls for policies to promote digital public services that are accessible for persons with disabilities ***in line with the***

information should be accessible, in particular by using simple and understandable language and illustrations for persons with learning impairments¹;

¹ Petition No 1305/2015.

rapid advances in information technologies; recalls that information should be accessible, in particular by using simple and understandable language and illustrations for persons with learning impairments¹;

¹ Petition No 1305/2015.

Or. ro

Amendment 15
Anne-Sophie Pelletier

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Points out that the COVID-19 pandemic has shown that the entire population should be able to benefit from digital transformation, without any discrimination or exclusion; emphasizes the importance of ICTs (Information and Communication Technologies) for mobility, communication and access to public services; therefore, calls on the Member States to actively promote the participation of persons with disabilities by providing the appropriate means ensuring their access to online public services;

Or. en

Amendment 16
Anne-Sophie Pelletier

Draft opinion
Paragraph 2 b (new)

Draft opinion

Amendment

2b. Underlines the necessity for adequately funding the equipment that persons with disabilities need, to ensure that they can use the best available technology and equipment for their everyday life, for their employment and social participation;

Or. en

Amendment 17
Sylwia Spurek

Draft opinion
Paragraph 3

Draft opinion

3. Takes the view that effective non-discriminatory access involves the identification of obstacles and barriers that hamper the access of persons with disabilities to the goods, services and facilities available to the general public; stresses that effective, non-discriminatory access for persons with disabilities should be ***provided under the same terms and conditions as for persons without disabilities wherever possible***, and that the use of assistive devices by persons with disabilities should be facilitated, including aids to mobility and access, such as recognised guide dogs and other assistance dogs where necessary² ;

² Petition Nos 1140/2015, 0857/2016, 0535/2017 and 1140/2015, and 0988/2020.

Amendment

3. ***Highlights that reasonable accommodation, accessibility and universal design, is crucial to combat discrimination against persons with disabilities***; takes the view that ***universal, effective and non-discriminatory access*** involves the identification ***and removal*** of obstacles and barriers that hamper the access of persons with disabilities to the goods, services and facilities available to the general public; stresses that ***universal, effective and non-discriminatory access*** for persons with disabilities should be ***guaranteed***, and that the use of assistive devices by persons with disabilities should be facilitated, including aids to mobility and access, such as recognised guide dogs and other assistance dogs where necessary²; ***recalls that accessibility standards should be adopted in consultation with persons with disabilities and their representing organisations, since their expertise is essential to the identification of accessibility barriers***;

² Petition Nos 1140/2015, 0857/2016, 0535/2017 and 1140/2015, and 0988/2020.

Amendment 18
Sylwia Spurek

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. Underlines that people with disabilities, in particular women with disabilities, continue to face multiple and intersectional discrimination based on their disability and their gender, race, ethnicity, age, religion or belief, sexual orientation, migration status or socioeconomic background; calls on the Commission and the Member States to take into account the diversity and heterogeneity of persons with disabilities when designing and implementing policies and measures;

Or. en

Amendment 19
Ioan-Rareş Bogdan

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. Calls on the EU institutions to ensure the highest accessibility standards in the infrastructure, services and in digital terms as well as to make all the efforts to disseminate their documents related to the legislative procedure in a user-friendly and accessible way and to ensure that the persons with disabilities can properly and fully access their websites as well as the contact forms;

Amendment 20
Tom Vandendriessche

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. Regrets that while exercising the right of free movement for work, studies, or other reasons, persons with disabilities may experience difficulties due to a lack of a mutual recognition of disability status between Member States; therefore, calls on the Member States to ensure mutual recognition and to set up harmonised rules for disability assessments;^{2a}

^{2a} Petition no 1262-19

Amendment 21
Anne-Sophie Pelletier

Draft opinion
Subheading 2 a (new)

Draft opinion

Amendment

Calls on the Commission for the exemption of persons with disabilities and their families and helpers from the payment of tolls across Europe, to support their movement especially when multiple routes are needed to cover their medical and wellbeing transportation;

Amendment 22

Dragoş Tudorache

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. Stresses the fact that new technologies need to be accessible for people with disabilities to take full advantage of their benefits of in order to feel empowered and lead an independent and fulfilling life;

Or. en

Amendment 23
Yana Toom, Abir Al-Sahlani, Hilde Vautmans, Olivier Chastel

Draft opinion
Subheading 2 a (new)

Draft opinion

Amendment

Combating discrimination

Or. en

Amendment 24
Yana Toom, Abir Al-Sahlani, Hilde Vautmans

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. Urges the Member States to ensure that people with disabilities are engaged in the policy-making process without any constraints; notes that the CRPD requires full political participation, which means that persons with disabilities must be able to participate in elections and decision-making processes on an equal basis with others; calls on the Commission to ensure

that Member States provide facilitated naturalisation or specific exemptions from naturalisation exams for persons with disabilities to guarantee their access to citizenship;

Or. en

Amendment 25
Ioan-Rareş Bogdan

Draft opinion
Paragraph 3 b (new)

Draft opinion

Amendment

3b. Encourages the Member States to develop programmes which aim at the inclusion of persons with disabilities in the society through sport, arts, culture and leisure activities;

Or. en

Amendment 26
Sylwia Spurek

Draft opinion
Paragraph 3 b (new)

Draft opinion

Amendment

3b. Highlights that full and effective participation of persons with disabilities in all areas of life and society is crucial for the enjoyment of their fundamental rights;

Or. en

Amendment 27
Dragoş Tudorache

Draft opinion
Paragraph 3 b (new)

Draft opinion

Amendment

3b. Stresses that digital accessibility and appropriate policies and programmes will bring education and employment opportunities for persons with disabilities;

Or. en

Amendment 28
Anne-Sophie Pelletier

Draft opinion
Paragraph 3 c (new)

Draft opinion

Amendment

3c. Underlines the need to extend the benefits of the EU disability card so that mutually recognized health access benefits are also included;

Or. en

Amendment 29
Anne-Sophie Pelletier

Draft opinion
Paragraph 3 c (new)

Draft opinion

Amendment

3c. Recalls that a good structure of public services, especially in health and education, is essential to ensure an equal treatment of persons with disabilities, regardless of their economic condition, and calls the Member States to use the EU funds to improve these services and related infrastructures, according to the spirit of REACT and NGEU;

Amendment 30
Anne-Sophie Pelletier

Draft opinion
Paragraph 3 d (new)

Draft opinion

Amendment

3d. Considers that the EU horizontal anti-discrimination directive^{3a} is a primordial legislative act for a correct implementation of CRPD policies and urges the Council to unblock the negotiations;

^{3a} COM/2008/0426 final

Amendment 31
Anne-Sophie Pelletier

Draft opinion
Paragraph 3 e (new)

Draft opinion

Amendment

3e. Recalls that in order to develop appropriate and effective policies to ensure an accessible society for all persons with disabilities in the EU, there is a need for comparable and reliable EU data; therefore, calls on the Commission and the Member States to intensify their efforts to collect reliable statistics and data on the participation of persons with disabilities in the various levels and types of education, labour and participation in social life;

Amendment 32
Anne-Sophie Pelletier

Draft opinion
Paragraph 3 f (new)

Draft opinion

Amendment

3f. Is concerned about the high unemployment rates of persons with disabilities, especially among women with disabilities compared to other groups in the European Union; calls on the Member States to promote and ensure a legislative and policy framework for the participation of persons with disabilities and especially women with disabilities in the labour market, including those with hidden disabilities, chronic illnesses or learning disabilities;

Or. en

Amendment 33
Yana Toom, Abir Al-Sahlani, Hilde Vautmans, Olivier Chastel

Draft opinion
Paragraph 4

Draft opinion

Amendment

4. Considers that good education for persons with disabilities must be prioritised; encourages the Member States to promote high-quality education and lifelong learning.

4. Considers that good education for persons with disabilities must be prioritised; encourages the Member States to promote high-quality education and lifelong learning; ***stresses the need to increase the participation of young people with disabilities in training taking into account their needs, which would provide them better access to the labour market; notes the benefits for children from linguistic minorities with special educational needs to learn in their mother tongue during early years' education in cases where it is difficult for them to use***

language and communicate; calls on the Member States to ensure access to minority language education for children with special educational needs.

Or. en

Amendment 34
Sylwia Spurek

Draft opinion
Paragraph 4

Draft opinion

4. Considers that **good** education for persons with disabilities must be prioritised; encourages the Member States to promote high-quality education and lifelong learning.

Amendment

4. Considers that **inclusive and accessible** education for persons with disabilities must be prioritised; **recalls that persons with disabilities have the right to participate in all educational levels and forms including early childhood education and on an equal basis with others**; encourages the Member States to promote high-quality education and lifelong learning.

Or. en

Amendment 35
Anne-Sophie Pelletier

Draft opinion
Paragraph 4

Draft opinion

4. Considers that **good** education for persons with disabilities **must be prioritised; encourages** the Member States to **promote** high-quality education and lifelong learning.

Amendment

4. Considers that **Member States must prioritise equal high-quality** education for persons with disabilities; **calls on** the Member States to **further increase their education systems' capacity to provide** high-quality **accessible** education and lifelong learning **for all learners**;

Or. en

Amendment 36
Dragoş Tudorache

Draft opinion
Paragraph 4

Draft opinion

4. **Considers that good** education for persons with disabilities must be prioritised; encourages the Member States to promote high-quality education and lifelong learning.

Amendment

4. **Recalls that education is a fundamental human right; stresses that access to inclusive, equal and free** education for persons with disabilities must be prioritised; encourages the Member States to promote high-quality **and accessible** education and lifelong learning;

Or. en

Amendment 37
Tom Vandendriessche

Draft opinion
Paragraph 4

Draft opinion

4. Considers that good education for persons with disabilities must be prioritised; encourages the Member States to promote high-quality education and lifelong learning.

Amendment

4. Considers that good education for persons with disabilities must be prioritised; encourages the Member States to promote high-quality education and lifelong learning.^{4a}

^{4a} **Petitions No 2582/2013, 0371/2018**

Or. en

Amendment 38
Ioan-Rareş Bogdan

Draft opinion
Paragraph 4

Draft opinion

4. Considers that good education for persons with disabilities must be prioritised; encourages the Member States to promote high-quality education and lifelong learning.

Amendment

4. Considers that good education for persons with disabilities must be prioritised; encourages the Member States to promote high-quality, ***inclusive*** education and lifelong learning.

Or. en

Amendment 39
Sylwia Spurek

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4a. Underlines that, according to the CRPD, the EU should mainstream a disability perspective in all its gender policies, programmes and strategies; endorses the CRPD recommendations and urges the Commission and the Member States to step up efforts in this direction; recalls that persons with disabilities often have their views disregarded in favour of other people speaking or making decisions on their behalf and further urges the Commission and the Member States to involve the persons with disabilities in all their diversity and of all backgrounds in EU decision-making;

Or. en

Amendment 40
Ioan-Rareş Bogdan

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4a. Draws attention to the importance

of the early childhood intervention and to the fact that children with disabilities must participate and be included in the society from the very early stages of their lives; points out the need to increase the funding opportunities for inclusive education, both for the promotion of inclusive education's impact on children with or without disabilities as well as for the funding of research in the area of inclusive education;

Or. en

Amendment 41
Anne-Sophie Pelletier

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4a. Calls on the Commission to strengthen the role of the Child Guarantee in ensuring the equal treatment of children with disabilities; to that end, encourages the Commission and the Member States to invest in training professionals regarding the needs of persons with disabilities;

Or. en

Amendment 42
Tudor Ciuhodaru

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4a. Considers it necessary to encourage the use of new technologies, including information and communications technologies, mobility

support devices and ancillary devices and technologies that are suitable for people with disabilities;

Or. ro

Amendment 43
Dragoş Tudorache

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4a. Stresses that education is central to individual development and that accessible learning environments for persons with disabilities offer them the possibility to fully contribute to all aspects of the society.

Or. en

Amendment 44
Maria Grapini

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4a. Calls for economic policies to be drawn up to enable people with disabilities to secure access to jobs and fair pay in line with their intellectual and physical skills.

Or. ro

Amendment 45
Maria Grapini

Draft opinion

Subheading 3 a (new)

Draft opinion

Amendment

Economy

Or. ro

Amendment 46
Sylwia Spurek

Draft opinion
Paragraph 4 b (new)

Draft opinion

Amendment

4b. Notes the Commission commitment in the EU Strategy for the Rights of Persons with Disabilities 2021-2030, to pay particular attention to women with disabilities, who are two to five times more likely to face violence than other women; calls on the Commission to mainstream and take the situation of women with disabilities in all EU policy and measures, in particular, with regards to future initiatives relating to gender based violence;

Or. en

Amendment 47
Anne-Sophie Pelletier

Draft opinion
Paragraph 4 b (new)

Draft opinion

Amendment

4b. Strongly believes that Member States should provide adequate support to children with disabilities to enable public education to become the backbone of the individualized pedagogical itinerary;

Or. en

Amendment 48
Tudor Ciuhodaru

Draft opinion
Paragraph 4 b (new)

Draft opinion

Amendment

4b. Stresses the importance of teaching staff regarding the education of children with disabilities and special needs; urges, therefore, that training, further training and specialist training in this field be made available to them;

Or. ro

Amendment 49
Sylwia Spurek

Draft opinion
Paragraph 4 c (new)

Draft opinion

Amendment

4c. Calls on the Commission to pay attention to persons with disabilities living in institutions; is concerned that the COVID-19 pandemic highlighted and intensified the challenges faced by persons living in institutions; calls on the EU Member States to adopt deinstitutionalisation strategies and to ensure that their laws, policies and programmes on deinstitutionalisation are in line with the concept of independent living set out in the CRPD; calls on the Commission to use benchmarks in order to measure progress;

Or. en

Amendment 50

Anne-Sophie Pelletier

Draft opinion
Paragraph 4 c (new)

Draft opinion

Amendment

4c. Proposes the creation of projects to raise awareness of the needs of persons with disabilities, by positively using the power of cultural tools, such as through the promotion of cultural events, as a part of a broader educational strategy to promote and protect the rights of persons with disabilities;

Or. en