



EUROPEAN COMMISSION
DG Employment, Social Affairs and Inclusion

Social Affairs
Disability and Inclusion

**Minutes of the EU Disability High Level Group meeting
Thursday 9 June 2016, Centre de Conférences Albert Borschette, Brussels**

Chair: Emmanuelle Grange (Head of Unit EMPL.C.3)

Secretariat: Hana Velecká (Policy Officer EMPL.C.3)

Logistics: Catherine Koeckx (Assistant EMPL.C.3)

Joint meeting with representatives of civil society

1. Opening by acting director Manuela Geleng

Ms Manuela Geleng (acting director of DG EMPL Directorate C on social policies) informed the group about the European Commission work on withdrawal from the monitoring framework, as recommended by the UN Committee in 2015, to fulfil that recommendation. As concerns other activities, in December 2015, the Commission approved a legislative proposal for a European Accessibility Act and currently the discussions with the Council and the European Parliament are ongoing. The Commission is working on the mid-term review of the European Disability Strategy as well. On 1 June, the Commission together with the European Disability Forum launched the competition for the Access City Award 2017 with a deadline of 8 September 2016.

On 8 March 2016, the Commission launched a public consultation on a first preliminary outline of what should become the European Pillar of Social Rights. Throughout 2016, the Commission will engage in a debate with EU and national authorities, social partners, civil society and citizens on the content and role of the Pillar to move towards a deeper and fairer Economic and Monetary Union. As concerns the preparations for the next week UNCRPD Conference of State parties in New York, the coordination with the Member States is done via COHOM.

2. Approval of the minutes of the DHLG meeting of 19-20 October 2015

The minutes of the last meeting of 19-20 October 2015 were approved.

2. List of issues and preparation for the UN dialogue and concluding observations of the UN Committee

⇒ **List of issues and preparation for the UN dialogue**

Italy informed about its preparation for the UN dialogue. The list of issues was published in March 2016 and contained 34 issues. Specific attention was paid to equality and non-discrimination, labour market, independent living, education. Editing was done by the

Ministry of Labour and Social Policies and the Italian Inter-ministerial Committee of Human Rights (CIDU) and the reply was discussed with relevant stakeholders. Coordination among all bodies involved was quite difficult. Some UN questions raised doubts if the UN Committee actually read the national initial report.

Also **Austria** confirmed that for some questions received the answers were already in the initial report. Probably they appeared in discussion of the UN Committee and civil society. They were raised again during the dialogue and then followed by recommendations.

⇒ **Concluding observations of the UN Committee**

Lithuania informed about its dialogue with the UN Committee that considered its initial report on 6-7 April 2016. The main areas of UN Committee's concern and recommendations are raising public awareness to eradicate negative attitudes and stereotypes; the submission of the amendments of the Law on Elections and the Law on Referendum to allow voting through accessible electronic voting systems; the inclusion of organizations of persons with disabilities in the development of the National Programme for Social Integration of Persons with Disabilities 2013-2019. Concrete recommendations were given for most of the UNCRPD articles.

The concluding observations were disseminated widely and made available on the websites. A working group was formed at the initiative of the Ministry of Social Security and Labour to prepare the special plan for the implementation of the UN Committee observations. The relevant institutions were asked to provide real measures to implement the recommendations. It is clear that this process should involve active and systematic efforts of all state and municipal institutions, persons with disabilities, and non-governmental organisations participating in the implementation of the UNCRPD.

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

3. State of play of ratification of the UN Convention on the Rights of Persons with disabilities (UNCRPD)

Ireland is on track to meet the deadline of end-2016 for ratification of the UNCRPD. On 22 March 2016, the Government approved the General Scheme of the Equality/Disability (Miscellaneous Provisions) Bill, which will overcome most of the legislative barriers to the ratification of the UNCRPD. The Government has also approved the priority drafting of the Bill within six months in order to allow for its enactment before the end of this year.

In October 2015, the Roadmap to Ratification was published, which set out the work underway and the legislative amendments necessary to deal with outstanding barriers to ratification. The Equality/Disability (Miscellaneous Provisions) Bill will provide for many of these amendments, including: reasonable accommodation; national mechanism for monitoring; involuntary detention; electoral rights; amending the Juries Act 1976 and the Criminal Law (Insanity) Act 2006, etc.

<http://www.justice.ie/en/JELR/Roadmap%20to%20Ratification%20of%20CRPD.pdf/Files/Roadmap%20to%20Ratification%20of%20CRPD.pdf>

European Disability Forum (EDF) stressed that correct follow-up of article 12 is an issue in many countries. Also the EU received one recommendation on taking appropriate measures,

foster research, data collection and exchange of good practices. Any effort for sharing and learning is helpful and it would be a very good action from the EU.

European Union of the Deaf appreciated Ireland's efforts, so that deaf people could have their right of jury. It would be important to recognise the Irish sign language.

Ireland pointed out that the recognition of the Irish sign language in legal terms does not guarantee its using. The intention is to put in force the disability strategy and to promote using of this language in public services.

Finland informed that it deposited its instrument of ratification concerning UNCRPD and its Optional Protocol with the Secretary General of the United Nations on 11 May 2016. The Convention and its Optional Protocol will thus enter into force for Finland on 10 June 2016.

At the national level, a focal point will be designated and a coordination mechanism established for the implementation of the Convention. In addition, an independent framework will be designated to promote, protect and monitor the implementation of the Convention at the national level. The ratification has required changes to legislation, including the Municipality of Residence Act and the Social Welfare Act, as well as most recently to the Act on Special Care for the Persons with Intellectual Disabilities.

Netherlands informed about its ratification of the UNCRPD. The ratification documents will be deposited on 14 June 2016. Entry into force will be one month later. First, it organised national measures before ratification and there is still lots of work to do. There are two priorities – cooperation with stakeholders; work and support for access to employment.

4. EU latest policy developments

The Commission informed about the state of play of the project on the EU Disability Card. It has two priorities: 1) setting up or reinforcing the respective EU Disability Card national organisations; 2) establishing the respective national package of benefits that Member States are ready to mutualise. Projects are implemented in eight countries: Belgium, Cyprus, Estonia, Finland, Italy, Malta, Romania, Slovenia. The overall allocation is €1.351.155,31. Projects started in February 2016 and will last 18 months. Significant step in implementation should be reached by the milestone – European Day of Persons with Disabilities (29 – 30 November 2016 where it will be presented. The EU website of the project will be launched soon.



European Blind Union is in favour of extension of using the new card. For blind people it is not useful without assistants that also other groups need. Many persons with disabilities are coming for example to Italy. The Member States who would not extend rights connected to the Card to assistants would create problems and the Card would be difficult to use for blind people. The Commission should convince the Member States to amend legislation to create conditions for persons with disabilities.

The Commission provided information about the Accessibility Act adopted on 2 December 2015. The Dutch presidency was active with 8 meetings that were useful to clarify technical requirements, etc. The European Parliament took time to decide which committee would be responsible. It will be the Employment Committee. The European Economic and Social Committee also worked on the document and prepared its opinion. The Slovak presidency will work on clarifications of articles. The Commission intends to publish before the summer break results of public consultation on impact assessment. The Commission stressed that it tries to keep regular dialogue with private business sector.

To the question of **Women's Lobby**, the Commission replied that there was no gender impact assessment. It informed that during the next meeting in the Council also EDF and Digital Europe will be present.

European Blind Union highlighted warring development in the European Parliament where the Culture and Education Committee has a proposal to be voted to exclude audio-visual media from the Act. In addition the Commission intends to remove article 7, which concerns accessibility of media services for people with a visual or hearing disability, from the Audio-visual Media Services Directive.

The European Association of Service providers for Persons with Disabilities (EASPD) stated that the Act is limited in scope but is welcomed. The empowering approach needs to be kept. It hopes that the scope of the Act is not reduced. It has lots of expertise with support services – lots of info on accessibility that is ready to share (*the Commission welcomed this offer*). The Act is a huge opportunity also for enterprises, including the SMEs. EASPD works with its members so that they would understand it correctly

The Commission informed about the Mid-term review of the European Disability Strategy. It is still under preparation. The Commission had to go through public consultation until end of March and received lots of replies (1500). These were mainly from civil society and individuals. Only one reply came in easy to read version. As concerns gender, 2/3 were females. It was balanced as regards persons with and without disabilities. The main issues were equal opportunities in labour market and transport.

The process is being finalized inside the Commission; there is the scoreboard to be updated. The intention is not to propose a new strategy but to see what worked and what did not work, how successful the implementation of the UNCRPD was and in response to focus more on areas not covered sufficiently (but no new measures will be proposed). Reports of the European Parliament and the European Economic and Social Committee on the UNCRPD implementation will also be taken into account. The draft should be ready in July to discuss with the Commissioner; the final document should be published in autumn.

Mental Health Europe expressed its disappointment with the limited questionnaire for the public consultation. For future it would appreciate being consulted on the questionnaire.

Women's Lobby highlighted a very strong gender dimension of the Strategy that should be coherent with other strategies. The European Institute for Gender Equality works on intersex indicators and the new gender equality index will be available the next year.

<http://eige.europa.eu/gender-statistics/gender-equality-index>

EASPD pointed out to the migrants crises as a large % of them have disability. It would appreciate dialogue with NGOs in the migrant field. Together with **Greece** it stressed the need of financial help. Greece further added that finances go to NGOs not to the state and thus there should be discussion on how to send money to countries affected by the crises.

The Commission informed that a call for proposals on social innovation will focus in 2016 on migrants. This issue could also be on the next agenda of the High Level Group on Disability. In addition the Commission is dealing with social inclusion of vulnerable such as children, homeless, migrants.

As concerns the European Pillar of Social Rights, the Commission informed that it contains a specific area on disability benefits and also other relevant areas (6, 17, 19). In March 2016 the Commission launched the public consultation on the pillar that should be open until the end of this year. By this consultation the Commission aims to trigger a truly public debate on social values and rights. It counts on the Member States contributions, any feedback is needed.

<http://ec.europa.eu/social/main.jsp?catId=89&langId=en&newsId=2487&furtherNews=yes>

The Commission also elaborated on the accessibility under the EU funds and reminded that they cannot be used for projects that would not be in line with the UNCRPD.

5. NGOs' presentations of main achievements of their grants in 2015

EASPD presented its Pathways Project: Mapping of Employment (Re)Integration Strategies for Persons with Chronic Diseases (3-year EU project funded by Health Programme (2014-2020). Inactivity rates are very high for these people and they have difficulties to get back to the labour markets. They fall somewhere between legislation of persons with disabilities and the grey zone. Therefore, there is a need for strategies helping persons with chronic diseases to find and to keep a job. The objectives of the project are: to identify integration and re-integration strategies that are available in Europe and beyond; to determine their effectiveness; to assess the specific employment related needs of persons with chronic diseases and mental disorders; to develop guidelines supporting the implementation of effective professional integration and reintegration strategies. www.path-ways.eu

European Platform for Rehabilitation presented its activities, in particular those focused on employment (awareness events in Croatia and Lithuania, annual conference dealing with matching services to persons with disabilities with labour market needs) and bench-learning aimed at adapting VET to labour market / supported employment. Study on mainstreamed and community based services was presented (<http://www.epr.eu/index.php/Mainstreaming/531>). Further information was provided about the Event on Mental Health Recovery in Action.

Inclusion Europe elaborated on its activities and on the activities of the European Platform of Self-Advocates (EPSA). They work together to promote the rights of persons with intellectual disabilities and their families in Europe. EPSA organised several working meetings and the conference "My life, My decision". Inclusion Europe prepared the draft

comment on the article 24 on education of the UNCRPD stressing that also people with severe disabilities have right to inclusive education. The UN Committee accepted its points and put them into its document. It organised events such as Europe in Action 2015: Self-advocacy and families; Hear Our Voices 2015: My Life, My Decisions.

Mental Health Europe worked on several articles of the UNCRPD (in particular on 4.3, 12 and 19). Attention was paid to mainstreaming the UNCRPD in the EU Joint Action on Mental Health and Wellbeing – especially the work package on community-based services and resulting Framework for Action. It intends to do seminar on the use of the European Regional Development Fund for deinstitutionalisation. It stressed that mental health care is still much underfunded.

International Federation for Spina Bifida and Hydrocephalus did not manage to make its presentation of 2015 activities because of the lack of time. It was agreed that it would be given floor during the next DHLG meeting.

6. Sharing Academic knowledge

Mr Bjorn Hvinden (director of Norwegian Social Research in Centre for Welfare and Labour Research) presented key findings, recommendations and results of the project DISCIT - Making Persons with Disabilities Full Citizens. Nine countries participated in the project: CH, CZ, DE, IE, IT, NO, RS, SE and UK. Moreover, European Disability Forum participated as a full partner. Focus was on thematic work packages on community living, employment, organisational and political participation, new technologies, fiscal innovation, psychosocial disabilities and social services; and on work packages on analytical framework, methodological challenges, dissemination & management. Two edited volumes based on DISCIT will be published by Routledge early 2017; at least 10 articles based on DISCIT are published or will be published in refereed international journals in the coming months.

www.discit.eu ; <https://blogg.hioa.no/discit> ; contact: bjorn.hvinden@nova.hioa.no

Mr Roy Sainsbury (director of Social Policy Research Unit, University of York) presented preliminary findings of the ANED study on social protection for disabled people in Europe relevant to Article 28 UNCRPD. Key findings are the following: the disability poverty risk is greatest for younger adults of working age and their families; older people, including those who acquire impairments in later life, often have greater protection due to retirement pensions and career contributions/savings; there is great variation in the levels and types of protection available to disabled people in European countries; austerity measures have reduced eligibility for disability benefits and access to devices and services in many countries; disability benefits have a protective effect on poverty risk.

www.disability-europe.net

7. Discussion on ageing and disability

Anne-Sophie Parent (secretary general of AGE) highlighted the following: the majority of people with disabilities are in fact older persons; organisations of older people have limited understanding of disability rights and are rarely consulted in the development and implementation of disability policies; old age does not only compound the disadvantages linked with disability, but there are specific challenges for older persons due to ageism and structural abuse, constituting thus a unique vulnerable situation that needs to be recognised as a distinct barrier to the realisation of their human rights; only limited attention was given to

the barriers faced by this group in national and EU disability strategies as well as in UNCRPD Committee conclusions; the implementation of the UNCRPD by the EU and its Member States should take due account of the intersection of old age and disability.

http://age-platform.eu/images/AGE_response_Special_Rapporteur_Disability_social_protection_FINAL.pdf

<http://age-platform.eu/> ; contact: annesophie.parent@age-platform.eu