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| **European Semester 2017/2018 country fiche on disability** | |
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| With comparative data provided by the ANED core team |

The [Academic Network of European Disability experts](http://disability-europe.net/) (ANED) was established by the European Commission in 2008 to provide scientific support and advice for its disability policy Unit. In particular, the activities of the Network support the development of the European Disability Strategy 2010-2020 and practical implementation of the United Nations Convention on the Rights of Persons with Disabilities in the EU.

This country report has been prepared as input for the European Semester from a disability perspective.

*Note:*

*The statistics provided in October 2017 are based on the EU-SILC 2015. This is the most recent microdata available to researchers for analysis from Eurostat. This report may be updated as new data becomes available.*

 

**Contents**

[1 Summary of the overall situation and challenges 2](#_Toc526860841)

[2 Assessment of the situation of disabled people with respect to the Europe 2020 headline targets 4](#_Toc526860842)

[2.1 Strategic targets 4](#_Toc526860843)

[2.1.1 A note on the use of EU data 6](#_Toc526860844)

[2.2 Employment data 7](#_Toc526860845)

[2.2.1 Unemployment 12](#_Toc526860846)

[2.2.2 Economic activity 16](#_Toc526860847)

[2.3 Education data 18](#_Toc526860848)

[2.3.1 Early school leavers 18](#_Toc526860849)

[2.3.2 Tertiary education 20](#_Toc526860850)

[2.4 Poverty and social exclusion data 22](#_Toc526860851)

[3 Description of the situation and trends in relation to each target area 26](#_Toc526860852)

[3.1 Employment 26](#_Toc526860853)

[3.2 Education 28](#_Toc526860854)

[3.3 Poverty and social inclusion 30](#_Toc526860855)

[4 Assessment of policies in place to meet the relevant headline targets 32](#_Toc526860856)

[4.1 Employment 32](#_Toc526860857)

[4.2 Education 34](#_Toc526860858)

[4.3 Poverty and social inclusion 35](#_Toc526860859)

[4.4 Synergies between developments in the different areas 36](#_Toc526860860)

[5 Review of the European Semester from a disability perspective 38](#_Toc526860861)

[5.1 Progress on disability-specific Country Specific Recommendations (CSRs) 38](#_Toc526860862)

[5.2 Progress on other CSRs from a disability perspective 38](#_Toc526860863)

[5.3 Assessment of disability issues in the Country Report (CR) 39](#_Toc526860864)

[6 Assessment of the structural funds ESIF 2014-2020 or other relevant funds in relation to disability challenges 43](#_Toc526860865)

[7 Recommendations 45](#_Toc526860866)

[8 References 46](#_Toc526860867)

# Summary of the overall situation and challenges

The overall situation with regard to employment, education and poverty in Germany tends to improve, especially with regard to more inclusive school and education structures. Some measures have been taken to improve the inclusion of people with disabilities and a general increase of employment can be found in the data. Nevertheless, the non-disabled population could profit from the good labour market situation to a higher extent. According to the recent National Participation Report (Teilhabebericht, cf. Engels et al. 2017) the employment rate for disabled people is 49% compared to 80% for people without disabilities; furthermore, disabled people are less often employed full-time. For people with cognitive impairments data are scarce and not particularly availabale (Engels et al., 2017). For them, the separation from the regular labour market stays stable due to their employment in sheltered workshops. A relevantly higher level of labour market inclusion of this highly segregated group working in sheltered workshops was not reached.

With regard to education contradictory developments can be found: On the one hand measures are taken to further-develop inclusive school education successfully. On the other hand, specific groups like persons with learning difficulties are still segregated to a high extent. For them, the basic school leaving certificate is still hard to achieve, and accordingly, this group faces major barriers in the fields of vocational training, tertiary education and inclusion in the regular labour market. Other groups of disabled persons are starting to achieve higher education at universities and are supported by specific programmes for students and PhD candidates; these measures are important should be continued and intensified.

In order to improve the data on the actual implementation of the UNCRPD, the government has started to conduct a large-scale national survey in 2017. Within this representative study disadvantaged groups like disabled people with learning disabilities and/or living in residential homes for disabled persons will be included as well. The survey will be a big step towards more accurate data collection on inclusion in all fields of the UNCRPD.

Regarding the labour market situation of disabled persons, the obligation to employ disabled people, especially for private companies, should still become more effective. This could be realised by a higher compensation levy for non-inclusive companies and more support for inclusive companies. Furthermore, employers as well as employees should be supported and informed to a higher extent and in a more adequate way. Labour market participation of severely disabled persons is strengthened by supporting free choice of workplace, either of employment in sheltered workshops or supported employment in the regular labour market. This is now aimed at in the new Participation Law (“Bundesteilhabegesetz”). Nevertheless, more efforts are necessary to ensure the right for inclusive labour market participation for all persons with disabilities regardless of the form or degree of disability. ([BRK-Allianz 2013, 81f.](#_ENREF_2)) Furthermore, segregated work spaces like sheltered workshops that still exist to a great extent in Germany are not compatible with human rights due to the long-time separation from the regular workspace (see UN Committee for the UNCRPD, Staatenberichtsprüfung 2015).

Concerning education, the establishment of an inclusive school system for all disabled persons must be promoted on a legal as well as on a practical level. This is an important precondition for reducing the rate of early school leaving and for increasing the rate of disabled persons attending tertiary education. All in all more money has to be spent to support inclusive education of high quality in Germany on all levels and more efforts have to be taken to end the segregation of specific groups of persons with disabilities.

In the field of social inclusion and poverty prevention, a new social service law, the National Participation Act (“Bundesteilhabegesetz”, BTHG), has been developed. This new law aims at bundling the different existing support regulations, standardising them nationwide, and modernising them, so that they can live up to the guiding principle of self-determined life style and freedom of choice in all areas of life.

New is the uniform federal procedure assessing personal budgets and that (federal) states together finance [goods](https://www.dict.cc/englisch-deutsch/goods.html) [and](https://www.dict.cc/englisch-deutsch/and.html) [services](https://www.dict.cc/englisch-deutsch/services.html) for participation. The new law provides less bureaucratic procedures and allows higher amounts of cash assets. Furthermore, the rights of the voluntary severely handicapped representatives in companies are strengthened. Most of the amendments to the BTHG will enter into force on the 1st of January 2018. The most significant change will be that cost support services now have to pay directly to the beneficiaries in the form of personal budgets (so far this could only be done on request). This means, a person who is entitled to support services receives the money from the responsible cost bearer and buys the services himself (or, as the case may be, by the guardian) from providers. The income and assets of the spouses or life partners of the persons receiving the assistance are not used in the assessment of the needs any more.

The new law should lead to relevant improvements. Nevertheless, there is still a lot of critique as it could partly worsens the situation of disabled persons. In the ambulant area, costs still are decision-leading. Disabled people can be forced to live in a disabled people´s home because of lower costs, which is in contradiction to the rights for self-determined living fixed in the UNCRPD. Newly, important assistance services can be funded “pooled” so that different persons have to share these services. Another highly problematic point of and struggle on the new law is that from 2023 onwards, support for inclusion by the local social service (Eingliederungshilfe) is intended to be restricted to persons who need support in at least five out of nine areas of life defined by the law. Thus, the eligible population of people with an interest in integration could be greatly reduced (e.g., a visually impaired student, who only needs a lecture at the university or corresponding technical equipment, but otherwise is well enough alone, would then receive no support). This is a major criticism of the associations.

# Assessment of the situation of disabled people with respect to the Europe 2020 headline targets

## Strategic targets

Table 1: Europe 2020 and agreed national targets for the general population

|  |  |  |
| --- | --- | --- |
|  | Europe 2020 targets | National targets[[1]](#footnote-1) |
| Employment | 75% of the 20-64-year-olds to be employed | 77% |
| Education | Reducing the rates of early school leaving below 10% | <10% |
| At least 40% of 30-34-year-olds completing third level education | 42% (including ISCED) |
| Fighting poverty and social exclusion | At least 20 million fewer people in or at risk of poverty and social exclusion | 320,000 (long term unemployed) |

Relevant disability targets from national strategies or sources:

Relevant developments concerning national policy targets to improve the social and the employment situation for people with disabilities were the adoption of the second National Action Plan in 2016 (BMAS 2016b) and the implementation of the new National Participation Act (Bundesteilhabegesetz, BTHG, BMAS 2016a). The second National Action Plan bases on the first National Action Plan that came into force in 2011 but focuses different priorities aspects. According to the ministry the second action plan aims at improving participation by means of the following measurements: initiation and conduction of a representative survey on the participation situation of disabled people in Germany, initiation of campaigns to raise awareness and reduce prejudices, legal modifications and measurements for a professional integration of disabled people, adoption of the National Participation Act (Bundesteilhabegesetz) and also by financing different measures to reduce barriers (BMAS 2016b).

It can be pointed out positively that the National Disability Action Plan ([Nationaler Aktionsplan, NAP 2.0](https://www.google.de/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0ahUKEwjaiYXN-tHWAhXQJFAKHQ7YAlEQFggsMAE&url=http%3A%2F%2Fwww.bmas.de%2FSharedDocs%2FDownloads%2FDE%2FPDF-Schwerpunkte%2Finklusion-nationaler-aktionsplan-2.pdf%3F__blob%3DpublicationFile%26v%3D4&usg=AOvVaw02opIgTlppBZ2sLyKqk0Gr), ibid.) is based on a disability concept in accordance with the UN CRPD concept: disability is a result of the interaction between personal, social, cultural, and environmental conditions. Moreover, in its contexts it is linked to the fields of activity and measurements of the UN CRPD and refers to the recommendations of the UN Expert Committee.

However, this action plan is regarded critically by different relevant working committees as well as by the National CRPD Monitoring Mechanism. Critics discuss that legal aspects are articulated very abstractly and thus are hard to deal with in individual matters. Furthermore, measurements should be more oriented at the UN CRPD than at the actual budget situation, and the general direction of the measures should lead clearer towards an inclusive society instead of including only short-term measurements (see also Deutsches Institut für Menschenrechte 2016, BAG SELBSTHILFE 2016, Deutsche RHEUMA-LIGA – GEMEINSAM MEHR BEWEGEN 2016).

Even though the new National Disability Action Plan aims at implementing some new activities for more inclusion in education and employment, transitions from school into formal education and from there into a regular employment should be supported more intensely. A new budget for employment is to be implemented to support free choice of the workplace inside or outside the sheltered workshops (Bundesteilhabegesetz/BTH Integrationsämter 2015). This could open people with learning difficulties new opportunities to find jobs outside workshops (Koch, 2016). By now it is not clear, whether this measure will actually lead to more inclusive workspace for people currently working in segregated sheltered workshops.

In May 2016, the Federal Ministry of Labour and Social Affairs implemented a decision of the German Parliament (Bundestag) and started the three-year support programme ‘Initiative for Inclusion II – All into Companies (Inklusionsinitiative II - Alle In Betrieb) with a funding volume of 150 million Euro from the Equalisation Fund. The fund will be allocated to the integration offices of the federal states in order to promote additional jobs for severely disabled people in integration projects (BTHB 2016, p. 179, <http://dipbt.bundestag.de/doc/btd/18/109/1810940.pdf>). The programme supports the development and expansion of integration companies. It compensates extraordinary charges with ongoing personnel costs, such as costs for the care of a severely disabled person at the workplace. Only newly created work or training places are supported. A special commitment to occupational health promotion and continuing vocational training has a positive effect on the level of funding. Also, long-term unemployed people with a severe disability and/or chronically mentally ill persons shall benefit. This programme is limited to three years. More long-term and high-volume funding will be needed to create equal educational and employment chances for disabled people.

Another relevant development is the introduction of the National Participation Law (Bundesteilhabegesetz, BTHG 2016, BMAS 2016a) that in its first parts came into force 30th of December 2016. It aims at supporting the national implementation of the UN CRPD (see <http://www.bmas.de/DE/Presse/Meldungen/2016/bundesteilhabegesetz.html>) and strengthening self-determination and participation of disabled people. Drafts of this new law lead to a broad discussion and were critisised by experts, the national monitoring body and by disabpled people. This lead to revisions. The final law (BMAS 2016a) still has numerous shortcomings. Critics acknowledge that the BTHG may bring significant improvements in some points, but they miss a paradigmatic change in the integration aid: It should emerge from a social service to modern participation regulations. Partly, the law would not go far enough, partly, the freedom of decision-making for people with disabilities would still be remarkably restricted. For example, in the ambulant area, costs are a decisive criterion and may lead to rejections of service opportunities. Further, the law implemented the possibility of pooling services for various affected persons. This means, people with disabilities who live together can be compelled to share an assistance service. Specialist associations fear that people with disabilities can ultimately even be compelled to live in common housing, where assistance is offered pooled. According to the new law, there is no entitlement to assistance for volunteering. Those who want to get involved must organize themselves privately. Further, the postulation to terminate the counting of income and any type of assets (capital, etc.) was not fully met. Although the personal reliefs have been significantly increased, income and assets are still counted for integration assistance. Additionally, from 2023 onwards, the eligible population for integration funds could be widely reduced. Considerable support needs must be demonstrated in five out of nine areas of life in order to be entitled for integration funds. All in all, national policies are contradictory: On the one hand relevant actions and measures are taken to improve working and social conditions and the full inclusion in education and employment as well as self determined choices.On the other hand these goals are [bypassed](https://www.dict.cc/englisch-deutsch/bypassed.html) by measures to avoid higher costs and to reduce the number of eligible beneficaries.

### 2.1.1 A note on the use of EU data

Unless specified, the summary statistics presented in this report are drawn from 2015 EU-SILC micro data.[[2]](#footnote-2) The EU-SILC sample includes people living in private households and does not include people living in institutions. The proxy used to identify people with disabilities (impairments) is whether ‘for at least the past 6 months’ the respondent reports that they have been ‘limited because of a health problem in activities people usually do’.[[3]](#footnote-3) Responses to this question vary between countries and national data sources are added for comparison, where available.

In 2015 there was a break in the German data (with significantly reduced prevalence estimates).[[4]](#footnote-4) As Germany is a very large country, this affected both the German national indicators and EU average indicators for this year. For example, the EU28 average disability prevalence indicator decreased between 2014 and 2015 but increased, as in previous years, if Germany is excluded. A similar trend is evident for the EU average employment rate of persons.

The self-reported prevalence estimate for Germany was 15 percentage points lower in 2015 than in 2014. This reduction appears to have an effect of lowering some outcome indications for the disability group (e.g. employment rate) but does not appear to disrupt the general pattern of outcomes or broad national comparisons to other countries.[[5]](#footnote-5) The changes appear to reduce the identification of disability status in younger age groups more than older ones, and among people with mild-moderate levels of impairment more than severe impairment. This appears to have a disproportionate effect on the historical comparability of indicators for unemployment rate, early school leaving and working age poverty risk

**Table 2: Self-reported ‘activity limitations’ as a proxy for impairment/disability (EU-SILC 2015)**

*Source: EUSILC UDB 2015 – version of October 2017*

*Note: the German self-reported disability prevalence estimates have changed very significantly from previous years, which requires further analysis. These estimates were above the EU28 average in all categories but are now below the average in all categories, notably among older persons. This is likely to affect the comparability of outcome indicators between years. Relevant annotations are added to charts where necessary.*

In subsequent tables, these data are used as a proxy to estimate ‘disability’ equality in the main target areas for EU2020 – employment, education and poverty risk.[[6]](#footnote-6) The tables are presented by disaggregating the estimated proportion of people who report and do not report limitations for each indicator (e.g. among those who are employed, unemployed, at risk of poverty, etc.).

The invisibility of data concerning persons living in institutional settings, or those who do not define themselves as being ‘limited because of a health problem’, raises concerns for future research. The German government has started to conduct a large-scale disability survey from 2017-2020 that aims to include these and other ‘difficult-to-reach’ groups.

## Employment data

**Table 3: Most recent employment data, aged 20-64**

*Source: EUSILC UDB 2015 – version of October 2017*

**Table 4: Employment rate data, by age group**

*Source: EUSILC UDB 2015 – version of October 2017*

*Note: the change in disability sampling appears to result in a lowering of the disability employment rates evenly across the life course, so that they approach more closely the EU28 average than in 2014.*

**Table 5: Trends in employment by gender and disability (aged 20-64)**

*Source: EUSILC UDB 2015 – version of October 2017 (and preceding UDBs)*

*Note: in 2015 the sharp downturn in disability employment rates for both women and men may result from discontinuity in disability prevalence estimate (although the general rates appear also to moderate in this year). Comparison with previous years should be treated with caution.*

The table above shows a comparison of national employment trends for disabled and non-disabled women and men and compares this with the EU2020 headline indicator for the EU as a whole.

Alternative data on disability and employment provided by the national experts:

The recent Participation Report[[7]](#footnote-7) released in Germany in 2017 provides data from 2013 on the employment situation of disabled and non-disabled persons, but like in the European data above, relevant target groups are excluded, especially persons living in residential homes and such with learning disabilities. In order to improve the data situation, the German Government has started to conduct an elaborate large-scale survey on participation in 2017 that includes a representative sample of all people with disabilities living in households as well as in institutions. A conceptual pre-study for the national survey as well as a study on data improvement for the next Disability Reports in Germany have been published before. (Schröttle et al. 2011, 2014)

Most figures in the Participation Report 2016 stem from the SOEP, the German Socio-Economic Panel, an annual household survey which started in 1984 and has been running for more than 30 years. The figures in the Disability Report (2016) were taken from the panel in 2013.

The report provides basic data about the employment situation of disabled and non-disabled persons, but it criticises the lack of more differentiated data and indicators on the full participation of disabled persons in the labour market.

In the disability report 2016 data for the employment situation of disabled persons are presented according to their degree of disability. In Germany officially recognised impairments are measured in grades from 10 to 100 (in steps of 10 points). Grades up to 50 are categorized as light and moderate disabilities; grades from 50 to 100 as severe disabilities. It has to be stressed that a significant percentage of disabled women and men in Germany are not officially recognised and thus do not appear in these statistics; according to representative studies conducted by Schröttle et al. (2013) and Puchert et al. (2013), about 60% of disabled women and 40% of disabled men are not registered officially. As registered groups are more likely to get public support for employment, the sample of the data for the German report underestimates the actual number of non-employed disabled persons; furthermore, persons who don´t work in the primary labour market but in sheltered workshops for disabled people are underestimated. Thus, available data does not draw a realistic picture by now but will be improved due to the planned national large-scale survey.

According to the Participation Report 2016 49% of the people with disabilities and 80% of the non-disabled people of the working age population were employed in 2013. The portion of those who are unavailable to the employment market (‚Nichterwerbspersonen’) at 46% is much higher among people with disabilities than among those without disabilities (16%) of the working age. From 2005 to 2013 the employment of people with disability has increased in all subgroups. The employment rate has increased by 5 percentage points regarding chronically ill people, 6 percentage points severely disabled people and by 9 percentage points in regard to people with a recognised disability and a degree of disablement (‚Grad der Behinderung’, GdB) of under 50 (cf. Engels et al. 2017).

Quota regarding mandatory jobs for severely disabled employees increased from 4,2% in 2007 to 4,7% in 2014. Nevertheless, this quota does not reach 5%, which are legally required for employers with at least 20 employees.

75% of the non-disabled working population and 66% of the working population with disabilities work full time. The proportion of those with disabilities who work part time at 22% is higher than among the population of non-disabled (16%). The portion of those with a decreased scope of work at 12% is a little higher among people with disabilities than among non-disabled employees (9%).

The number of severely disabled employees who are employed in integration projects has increased by 62% from 6.825 in 2007 to 11.052 employees in 2014. By the end of 2014, 264.842 people with disabilities were employed in sheltered workshops. Since 2007 with 220.227 employees with disabilities in sheltered workshops, this number of employees has increased significantly (+20%).

The national data of the recent Disability Report shows partly similar results to the EU-SILC data above. Concerning employment, disabled women (47%) and men (52%) are less often employed than non-disabled women (74%) and men (85%, see Engels et al. 2017, 164). In terms of gender one will find similar differences between disabled women and men as in the EU-SILC data. It is important to mention that the Disability Report documents an enormous gender difference in the amount of occupation, with women being far less often full-time occupied than men. Of all occupied men, 83% of disabled men and 92% of non-disabled men are full-time-workers. This is the case for only 52% of occupied disabled women and 57% of occupied non-disabled women (ibid.: 172). The gender gap between disabled women and men relates to the amount of work (connected with money and positions) rather than to employment rates in general.

According to the national Disability Report, persons with moderate disabilities are much more likely to be employed than persons with severe disabilities. 64% of persons with moderate disabilities and a disability degree less than 50 are employed, but only 42% of persons with a degree above 50. This difference stayed stable since 2009 (Engels et al. 2017, 168).

The German Disability Report also provides employment rates by age groups. In all age groups non-disabled persons are more often employed. According to the report non-disabled persons at the age of 18 to 44 are employed at a rate of 78% (against 57% of disabled persons in this age group); of those non-disabled persons aged 45 to 54 years 89% are employed (against 57% of disabled persons), regarding the age group 55 to 64 the employment rate is 72% against 47% (ibid.: 1). Comparing the trends in EU and national data and with regard to the general assumption that disabled people are less frequently employed than non-disabled persons, the figures show a similar picture

The former disability report showed further differences regarding age group and regular secure jobs with disabled persons older than 50 less often working in regular and secure jobs and more often in so called “Mini-jobs” or temporary work contracts with low income and low security of employment (cf. Bundesministerium für Arbeit und Soziales 2013: 138).

With regard to migration and ethnicity lower employment rates for both women (39%) and men (47%) with disabilities and migration backgrounds against disabled women (48%) and men (53%) without migration backgrounds and against persons without disabilities and without migration backgrounds (women: 78% and men 86%) are documented (Engels et al. 2017: 463).

A newer statistic on the employment situation of severely disabled persons was published by the Federal Agency for Work (Bundesagentur für Arbeit) in 2016 reflecting data up to 2014. It is shown that employment of severely disabled people increased continuously, however, not to that extent employment increased of nondisabled persons (BFA 2016). Referring to the rise of employment of severely disabled people, especially people older than 50 years were affected which could also be traced back to different registration procedures.[[8]](#footnote-8)

Another very important aspect concerning the employment situation is that a relevant number of disabled women and men in Germany are working in sheltered workshops, so called “Werkstätten für Menschen mit Behinderungen”, separated from the regular employment market and not able to earn enough of their own money for an independent life; most of these people are living in residential homes for disabled people. They are invisible in the EU-SILC data as well as in the general national employment statistics because they are excluded from the surveys at present. According to the German disability report from 2016, in 2014 264,842 disabled persons in Germany are working in sheltered workshops and their number has been steadily increasing since 2007 (+20%). Most of them are persons with learning disabilities. (Engels et al. 2017: 192). The increase of disabled persons working in sheltered workshop is connected with a higher extent of elder persons and of mentally ill persons employed in workshops (ibid.: 194).

### 2.2.1 Unemployment

National administrative rules and definitions of ‘unemployment’ vary, and these may affect the way in which disabled people are categorised in different countries. The following tables compare national data with the EU2020 headline indicator for the EU.

**Table 6: Most recent unemployment data, aged 20-64**

*Source: EUSILC UDB 2015 – version of October 2017*

*Note: the discontinuity of data series in disability prevalence rates in 2015 affects the estimation of comparative unemployment indicators. The 2015 national indicator for disabled women increases by more than seven percentage points compared to 2014, and by nearly four points for disabled men.*

**Table 7: Unemployment rate data, by age group**

*Source: EUSILC UDB 2015 – version of October 2017*

*Note: the discontinuity in disability prevalence estimation worsens the unemployment rate consistently across the life course, except for the youngest (smallest age group), where it is identical to 2014. In the other age groups, the indicator moves from just below the EU28 average to just above (but more so for younger adults).*

**Table 8: Trends in unemployment by gender and disability (aged 20-64)**

*Source: EUSILC UDB 2015 – version of October 2017 (and preceding UDBs)*

*Note: the underlying data series discontinuity makes comparison with previous years difficult, although it amplifies the general unemployment trend.*

Fluctuations in the gendered tends for people with impairments should be treated with caution, although the pattern is somewhat similar for those without*.*

Alternative data on disability and unemployment from national sources:

The gap between disabled and non-disabled persons with regard to unemployment rates is documented in the EUSILC data as well as in the national Disability Report from 2016.[[9]](#footnote-9) The national data show smaller rates and a smaller gap than the EU-SILC UDB 2014 data (Table 8). The EUSILC UDB 2015 data indicate a four to five times higher unemployment rate for disabled compared to non-disabled people in the years since 2011. The national Disability Report 2016 documents 5 percentage points lower overall rates since 2012. In 2015, the unemployment rate (acc. to § 16 SGB III) for people with a recognised severe disability was 13.4% against 8,2% in the general population (Engels et al. 2017). This is 1.8 percentage points below the level of 2008 and documents a light and slow decrease in unemployment among severely disabled people (Engels et al., 2017, p 139 and table above).

**Table x9: Trends in unemployment rates by disability in Germany**(Engels et al. 2017 cit. acc. Bundesagentur für Arbeit 2015a, 2016c)

Rate of unemployment for disabled persons

General rate of Unemployment

14,7 14,6 14,8 14,8

14,1

14,0 13,9

13,4

10,0

10,5

10,0

9,1

8,8

8,8

8,6

8,2

2008 2009 2010 2011 2012 2013 2014 2015

According to the EUSILC UDB 2015 data for different age groups (Table 7), unemployment rates vary for non-disabled persons from 7,6% in the age group 16-24 years over 6,6% in the age group 25-34 years and 4,4% in the age groups 35-44 and 45-54 years to finally 7,1% in the group 55-64 years. Thus, the youngest and the oldest age group has the highest risk for unemployment. Unemployment rates for people with disabilities are 12 to 20 percentage points higher in all age groups.

Like the former German participation report the new report documents that some groups of people (like migrants with disabilities) were more often affected by unemployment than those without migration background (Engels et al. 2017: 464).

With respect to gender and disability, German national employment rates show significantly higher employment rates for men with disabilities than for women with disabilities, but rather similar unemployment rates for both women (4%) and men (5%) without disabilities in 2013 (Engels et al. 2017:182). Only persons who registered as unemployed and actively search work are shown in the statistics. Accordingly, there is a high number of unknown cases, especially of unemployed disabled women who often do not get registered, but live on their husbands’ income, have only small-scale employment, or are economically dependent on other private household transfers.

A relevant discrepancy between the German national report and EUSILC UDB 2015 data is that the latter shows an increase in the unemployment rates for disabled persons from 2014 to 2015 (that might be explained by a narrower definition of disabled persons since 2015) while in the national report a slight decrease for both disabled and non-disabled persons is documented (cf. table x9, Engels et al. 2017: 184).

The newest labour market statistics of the „Bundesagentur für Arbeit” provides further facts on the unemployment of severely disabled people in Germany and changes in this field until 2015 (Bundesagentur für Arbeit 2017). From 2011 to 2015 the unemployment rate for this group of people stayed relatively stable and slightly declined in 2016, while the unemployment rate for non-disabled strongly declined since 2009 (ibid.: 9). Furthermore, the duration as well as the rate of long-time unemployed people with severe disabilities are significantly higher (ibid: 13).

### 2.2.2 Economic activity

**Table 9: Most recent economic activty data, aged 20-64**

*Source: EUSILC UDB 2015 – version of October 2017*

**Table 10: Activity rate data, by age group**

*Source: EUSILC UDB 2015 – version of October 2017*

**Table 11: Trends in activity rates by gender and disability (aged 20-64)**

*Source: EUSILC UDB 2015 – version of October 2017 (and preceding UDBs)*

**Note: the 2015 discontinuity in the German data series for disability prevalence appears to affect the overall trends. Any comparison with previous years should be treated with caution**)

Alternative data on disability and economic activity provided by the national experts:

The current Second Participation Report 2016 (Engels et al. 2017) continues the studies of the Participation Report 2013 (BMAS 2013) and the update in the English version (BMAS 2014). It describes developments in participation in the period from 2005 to 2014. In all participation reports no specific data is provided for the economic activity of disabled persons. Nevertheless, it is possible to sum up persons who are employed and not employed but not persons without economic activity (“Nichterwerbspersonen”). The data is based on the German Microcensus 2013 (Statistisches Bundesamt -Destatis 2013). The Microcensus is a representative household survey in which 1% of German households are questioned every year. The Microcensus is the main instrument of population statistics for policymakers in Germany.

The Second Participation report documents that in 2013 84% of the non-disabled population aged 18-64 are either employed or unemployed but not “Nichterwerbspersonen”, while the rate among disabled persons is 53%. Thus, the gap is very much higher than in the EU-SILC data. The rates for both men and women differ: 90% of non-disabled men and 78% of non-disabled women belong to this group; for disabled persons the rates are 57% for men and 51% for women Engels et al. 2017: 164).

## Education data

EU statistical comparisons are more limited concerning the education of young disabled women and men in the EU2020 target age groups. Data is available from EU-SILC (annually) as well as the Eurostat Labour Force Survey ad-hoc disability module (for 2011), but with low reliability for several countries on the key measures.[[10]](#footnote-10) Using a wider age range can improve reliability but estimations by gender remain indicative. EU trends are evident but administrative data may offer more reliable alternatives to identify national trends, where available. Confidence intervals for the disability group are wide on both indicators at the national level but reliable at the EU level. An average over several years may provide a more robust national indication.

There was also a change from ISCED 1997 to ISCED 2011 qualification definitions in 2014 although some Member States continued to use the older definition in 2015.

### 2.3.1 Early school leavers

The EU-SILC sample for the target age group (aged 18-24) includes the following number of people reporting activity ‘limitation’ (as a proxy for impairment/disability).

**Table 12: EU-SILC sample size in the target age group 18-24 versus 18-29**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Age 18-24** | | **Age 18-29** | |
|  | No activity ‘limitation’ | Activity ‘limitation’ | No activity ‘limitation’ | Activity ‘limitation’ |
| **EU sample** | 32,733 | 2,673 | 54,418 | 4,840 |
| **National sample** | 1,440 | 84 | 2,355 | 169 |

*Source: EUSILC UDB 2015 – version of October 2017*

*Note: in 2015 the disability sample sizes of 84 and 169 compare to 155 and 269 in 2014, respectively. Underlying changes in the disability sample appear to affect younger age groups more than older age groups.*

**Table 13: Early school leavers aged 18-24 (indicative based on above sample size)**

*Source: EUSILC UDB 2015 – version of October 2017*

*Note: for the narrow age band, the national disability indicator is more than seven percentage points higher than in 2014, and nearly three points higher for the wider band.*

Note: The confidence intervals for the disability group are also large and so the reliability is low. It may be more useful to consider an average of several years or to examine administrative data sources

**Alternative data on disability and early school leavers provided by the national experts:**

The tables of the EUSILC UDB 2015 data above show lower rates of early school leavers in Germany in general against the EU average, but relatively higher rates for disabled young people, especially those aged 18-24. This can be explained by the still highly segregated education system in Germany.

The current Second Participation Report 2016 (Engels et al. 2017) does not provide information for early school leaving in particular. But some comparative data on graduations of people with and without disabilities are available for people aged 20-64 years (Engels et al., 2017, p.130ff) showing similar patterns. People with disabilities are more likely to have school degrees with a lower or no graduation level than people without disabilities. In 2013, no school qualifications were found for 2% of people without compared to 8% of people with disabilities and even higher for persons with severe disabilities (11%) and persons with migration backgrounds (15%) (ibid: 137). The disadvantages for disabled persons in education can also be found in general school graduations: 41% of non-disabled people aged 20-64 years and 19% of disabled people reached a general university or applied science university qualification (Abitur, Fachhochschulreife). A middle school leaving certificate (next lower school qualification level) reached 30% of people of this age-group without and 26% with disabilities. A lower secondary school leaving certificate (lowest school qualification level) reached 27% without and 46% with disabilities of this age group (ibid.: 133). The proportions of people with impairments reaching a higher school education certificate is significantly smaller while the proportions of people with impairments reaching a low or no school education certificate is significantly higher. (ibid.: 125). This finding is in line with the fact that in 2014 71% of the graduates of special-needs school have not achieved a lower secondary school degree (Kultusministerkonferenz 2014).

### 2.3.2 Tertiary education

The EU-SILC sample for the target age group (aged 30-34) includes the following number of people reporting activity ‘limitation’ (a proxy for impairment/disability) although the number of missing observations is larger than the number of observations for activity limitation.

**Table 14: EU-SILC sample size for the target age group 30-34 versus 30-39**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Age 30-34** | | **Age 30-39** | |
|  | No activity ‘limitation’ | Activity ‘limitation’ | No activity ‘limitation’ | Activity ‘limitation’ |
| **EU sample** | 23,233 | 2,793 | 49,559 | 6,572 |
| **National sample** | 955 | 84 | 2,034 | 200 |

*Source: EUSILC UDB 2015 – version of October 2017*

*Note: in 2015 the disability sample sizes of 84 and 200 compare to 156 and 391 in 2014, respectively.*

**Table 15: Completion of tertiary or equivalent education (indicative based on above sample)**

*Source: EUSILC UDB 2015 – version of October 2017*

The survey sample is not sufficient to provide robust trend data disaggregated by gender in the narrow EU2020 target age group. In general, the achievement of tertiary education was higher for women than for men in both disabled and non-disabled groups.

**Table 16: Trends in tertiary education by disability (aged 30-34)**

*Source: EUSILC UDB 2015 – version of October 2017 (and preceding UDBs)*

*Note: the German data for 2015 might not be comparable with previous years due to discontinuity in the disability data series. An indicative linear trend line, which mirrors the general trends, is shown for illustration only.*

*Fluctuations in trends for people with impairments should be treated with caution at the national level*.

Alternative data on disability and tertiary education provided by the national expert:

The EUSILC UDB 2015 data above show a generally lower level of tertiary education in Germany against the EU-average and a high difference between disabled and non-disabled young people with non-disabled taking much more often part in tertiary education than disabled. It has to be mentioned that the difference would even be higher if persons with learning difficulties living in sheltered homes were included in the surveys.

The current Participation Report 2016 (Engels et al. 2017) provides data for people aged 20-64 years that show the relevance of school graduates as a basis for these inequalities: For this age group the rates of those with higher school education that qualifies for further University education (called “Abitur”/”Fachabitur”) are more than twice as high for non-disabled (42%) than for disabled persons (19%) (ibid.: 133). It is very problematic to find that the gap is higher for the younger age groups (46% against 23% for people aged 20-44) than the for the higher age groups (36% against 19% for people aged 45-54 and 31% against 18% for people aged 55-64) (ibid.: 134). As a consequence, persons without disabilities gain an academic degree more than twice as often than persons with disabilities. An (applied science university, university, doctorate) have reached 22% of people without and 10% of people with disabilities (ibid.: 139).

While the school education level of young non-disabled persons is steadily and rapidly increasing, that of disabled persons seems to stay stable or increase very slowly (Engels et al. 2017, 126).

Gender differences are not apparent any more in relation to school graduates but they are still relevant regarding higher education (ibid.: 139). Higher occupational education and academic degrees were found in the newest participation report for men with disabilities (18%) against women with disabilities (13%) as well as for men without (35%) and women without disabilities (24%). These differences will approximately lead to further gendered and disability related differences concerning occupational positions and wages.

According to the statistics of persons who study at (applied) Universities, 86 % of the students are not disabled, 7% have health limitations without and another 7% health limitations with burdens to study. Furthermore, students with disabilities are changing their or university more often than those without disabilities (ibid.: 127). The report documents further barriers for students with disabilities.

## Poverty and social exclusion data

EU SILC data provides indicators of the key risks for people with disabilities. In addition to household risks of low work intensity, there are risks of low income (after social transfers), and material deprivation. These three measures are combined in the overall estimate of risk. The risks for older people do not include work intensity (Eurostat refers to the age group 0-59 for this measure). The survey does not distinguish ‘activity limitation’ (the proxy for impairment/disability) for children under the age of 16. Relevant data provided by the national expert is added where available.

**Table 17: People living in household poverty and exclusion by disability and risk (aged 16-59)**

*Source: EUSILC UDB 2015 – version of October 2017*

**Table 18: People living in household poverty and exclusion by disability and gender (aged 16+)**

*Source: EUSILC UDB 2015 – version of October 2017*

*Note: the German data for 2015 is not comparable with previous years due to discontinuity in the disability data series.*

**Table 19: Overall risk of household poverty or exclusion by disability and age (aged 16+)**

*Source: EUSILC UDB 2015 – version of October 2017*

*Note: discontinuity in the disability data series appears to affect younger rage groups more than older ones*

**Table 20: Trends in household risk of poverty and exclusion by disability and age (EU-SILC 2015)**

*Source: EUSILC UDB 2015 – version of October 2017 (and previous UDB)*

Note: the German data for 2015 might not be comparable with previous years due to discontinuity in the disability data series).

Alternative data on disability and risk of poverty or social exclusion provided by the national experts:

The EUSILC UDB 2015 data above prevents a similar negative picture for Germany in comparison to other countries. In relation to the EU average, in Germany the percentage of low work intensity, low income and materially deprived persons (all risk factors of poverty) is relevantly higher for disabled people (with highest the risk for severely disabled people and disabled women and disabled people of younger age).The data also show a negative trend for Germany though this has to be interpreted cautiously due to changes in the case basis.

The current Participation Report 2016 (Engels et al. 2017) provides some information on the poverty risk. It documents that people with disabilities have a significantly higher poverty risk (20%) than people without disabilities (13%). While the poverty risk for non-disabled persons slightly sank from 2009 to 2013 (from 14% to 13%) it continuously increased for disabled people (from 13% to 20%) (ibid.: 203). As more and more impairments (especially psychological illnesses) occur in early life, the chances of career and income development is lowered. The risk of poverty is correspondingly high. For people with disabilities and migration background labour participation and wages are comparatively low and thus the risk of poverty is higher.

The material situation of people with disabilities is closely linked to occupation and work. In the younger age groups of persons with disabilities job barriers result in an increased risk of poverty (Federal Ministry for Labour and Social Affairs, 2013). The reasons are complex and range from poorer job prospects due to low educational qualifications to lower wages due to a lack of qualification. The narrowly limited benefits of the minimum allowance according to the social security books SGB II (basic living for job-seekers) and SGB XII (basic living in old age and in case of employment reduction), which some of the people with impairments depend on, contribute to a tense material situation. The placement of the integration assistance in the context of social assistance (SGB XII) also limits the material possibilities (BRK-Allianz, 2013).

# Description of the situation and trends in relation to each target area

## Employment

The general activity and employment rates in Germany have been maintained at a high level and with a narrow disability gap on the headline indicators, when compared to EU averages. Nevertheless, a high disability employment rate masks a segmentation of labour market opportunities for disabled people, in which sheltered employment still plays a significant role. By contrast, low unemployment rates for the general population can be compared with relatively high unemployment rates for disabled people, showing a wider disability gap than should be expected, in national data even higher than in the EUSILC data. The 2017 Joint employment report highlighted Germany as one of the ‘best performers’ on unemployment but this is not the case for disabled job seekers and presents a crucial policy challenge.

The national as well as the international data shows clear correlations between employment rates and disabilities: people with severe disabilities and health problems are still less often employed than such which moderate or no disabilities; women are affected to a higher extent than men, migrants also more than non-migrants.

On the national level a moderate trend of heightened employment rates can be seen that affects all groups of disabled and non-disabled women and men. Nevertheless, enormous gender inequalities as well as inequalities concerning employment rates of disabled and non-disabled still exist, even more when the rates of full-time employment are compared. They are to relevant parts invisible in the EUSILC data as women are significantly more often than men working in part-time occupations or min jobs. Furthermore, disabled women and men are more often occupied in part-time occupation, mini jobs and irregular occupations.

According to the newer national data, the unemployment rates of disabled people have continuously increased while those of non-disabled stayed stable or slightly decreased. All in all, disabled people do not seem to profit from the improved labour marked situation in the same way as non-disabled do.[[11]](#footnote-11)

Related to the EU-average the national data shows severely higher unemployment rates of disabled women and men, with higher rates for men. Non-disabled women and men are affected to a significantly lower degree (in relation to disabled women and men). Concerning the higher unemployment rates of disabled men and the similar unemployment rates of non-disabled women and men, it has to be stressed that many unemployed women (disabled and non-disabled) are not officially registered as unemployed thus building the so-called “silent reserve” for the labour market. The actual unemployment rates of women are regularly underestimated in the statistics.

The tables on most recent economic activity rates show a higher national level of economic activity in general, with the gap between disabled and non-disabled persons as well as the gender gap: non-disabled men are on the top and disabled women are on the bottom of the scale (see table 9); the disability and the gender gap is higher in the additionally documented national databases. Furthermore, it is noticeable that middle-aged groups from 25 to 54 more often belong to the economic active groups than younger and older age groups (see table 10), which is also connected to their employment status.

Youngest trends in decreased activity rates (table 10) as well as in increased unemployment rates for disabled people (table 7) have to be treated cautiously as the case basis of disabled persons has been changed for the current German EUSILK data. The decrease of economic activity and the rapid increase of unemployment rates for both women and men with disabilities could also be connected with a narrower definition of limitations/disabilities. Nevertheless, also other statistical national data show a continuous increase of the unemployment rates for disabled women and men since 2009 while the rates for non-disabled are decreasing or staying stable.

Disadvantages in employment of disabled women and men remain an important policy field, which is, by now, not adequately solved on the national and international level. Official disability data shows major problems in the regular labour market for persons with officially registered severe disabilities. This fact becomes apparent in absolute as well as in percentage numbers. For persons without registered disabilities and persons with minor or moderate impairments it is still difficult to get valid and recent data on employment.

Also, the new German Disability Report 2016 published in 2017 had shown that especially disabled women with migration backgrounds are not employed. 61% of disabled women with a migration background compared with 51% of disabled men with migration background and 47-48% of disabled men/women in the general population were unemployed or not available for the labour market. This is the case for 21% of non-disabled non-migrant women and 14% of men. This points out that disabled women with migration backgrounds are the group most frequently excluded from the labour market. (Engels et al. 2017: 463).

The national Disability Report as well as The EUSILC data 2015 documented that the chance for persons with disabilities to participate in working life depends on their degree of disability: The higher the individual degree of disability, the less likely is a status as an employee and the more likely is unemployment or irregular employment.

Furthermore, an increase of the number of persons with severe disabilities having problems with regular employment since 2008 can be found in the German national data. In 2008, 166,000 severely disabled people were reported as being unemployed; by 2011 this number had increased to 180,000 and by 2014 up to 181,000 (Bundesagentur für Arbeit 2015).

It has to be stressed that the official data makes one very heavily discriminated against group of employed disabled persons invisible: men and women working in sheltered workshops with almost no chance to enter the regular labour market. This group seems to grow steadily in Germany. According to the German disability report from 2016, in 2014 more than 264.000 disabled persons were working in sheltered workshops in Germany and their number has been increasing since 2007 (+ 20%). Most of them are persons with learning disabilities, but the number of people with psychological illness in sheltered workshops are increasing. (Engels et al. 2017: 192). Though the official aim of the workshops is to integrate disabled persons into the regular labour market, this is realised only for very few persons of this group (according to the national shadow report only 1% of the group, see Deutsches Institut für Menschenrechte 2015). Actually, it seems that the sheltered workshops are contributing to long-term segregation rather than to integrate disabled people. The employees of sheltered workshops neither get enough money for independent living nor are they trained systematically for the regular labour market (ibid.). By now it is unclear whether the new Disability Law (Bundesteilhabegesetz 2016) will change this situation or not. Current political measures to support integration and overcome the segregation seem to be rather contradictory as on the one hand sheltered workshops are supported to a high extent and on the other hand strategies to promote transitions into the regular labour market (e.g. through the “budget for work”) are implemented. Nevertheless, there is no clear strategy for consequent de-segregations in labour market policies for disabled people.

## Education

As in the case of unemployment, the 2017 EU Joint Employment Report placed Germany among the ‘best performers’ for young people not in employment, education or training (NEET) yet it is not among the leaders in early school leaving for disabled young people based on the indicative data. This is also the case for tertiary educational attainment where Germany falls below the EU average.

Though the EU-SILC rates for early leavers have to be compared cautiously, because of the low number of cases, there is a tendency that in comparison to the EU average the rates of early school leavers at the national level are higher for disabled young people and lower for non-disabled young people; this is an indicator for the higher gap between disabled and non-disabled people in Germany concerning education and might have to do with the still high level of institutional segregation.

Similarly, in relation to higher education, the statistics have to be interpreted cautiously but there are indications for a still high gap between disabled and non-disabled young people in Germany. The level of people who completed tertiary education is on the national level lower than in the EU sample for all groups. Furthermore, it is remarkably lower for disabled young people (see table 15). Non-disabled young people in Germany reach completion of tertiary education still almost twice as often as disabled young people do (37% vs. 19% in the age group 30-34, s. table 15). The continuing segregation in the education system in Germany might be responsible for that problematic inequality.

The national data shows an inconstant development for disabled young people with respect to tertiary education rates with a decrease of the rates from 2008 to 2010 followed by an increase from 2010 to 2012 and again a slight decrease from 2012 to 2013; since then a relevant increase to 2014 can be seen. It is not clear if for the decrease in 2015 actual developments or invalid variations on the basis of small samples and different case basis are reflected. Positive trends could be expected by specific programs for students and graduates with disabilities, but the number of users of programs and support might still be too small for statistically visible changes.

All available data indicates that there is still discrimination and separation of disabled persons with regard to school and vocational education. They far more often leave school early without or with very low qualifications compared with non-disabled persons; furthermore they are in the majority still separated from the regular school and education systems. The relative rate of pupils with special needs has increased steadily in recent years (from 6% in 2011 to 7% in 2014) but differs quite a lot between the federal states (Engels et al. 2017: 101f). Two thirds of these students are still educated in separate schools (ibid.: 103). Though inclusive schooling has increased, and separate schooling has declined, the rate and number of persons who are educated in separate schools is still high (ibid.: 103 and figure below).

**Students with special needs in regular and separate schools, 2005 to 2017 (KMK statistics, cited by Engels et al. 2017: 103)**



Regular Schools

Separate Schools

As a consequence, the percentage of disabled women and men with low or no regular school degree is significantly higher than that of non-disabled women and men, while their percentage of higher school and education degrees is significantly lower (cf. chapter 3.2). The rates of higher school and University degrees are rising from generation to generation for non-disabled women and men; but they tend to increase very slowly for disabled women and men (ibid.).

A special focus has to be put on the high rates of male pupils with migration backgrounds in special schools as well as on the high rates of young men with migration backgrounds achieving no or only very low school qualifications (ibid.). This indicates double discrimination leading to lower chances in education and employment systems for these groups.

## Poverty and social inclusion

The 2017 Country Specific Recommendations noted that not all groups in Germany have benefited from positive economic trends and that high wealth inequality exists.

The risk of relative poverty after social transfers for severely disabled people of working age in Germany is one of the highest in the EU, although this is not the case for the general population. The disability poverty gap is thus relatively wide in Germany and this raises policy concerns, particularly in light of the high rate of labour market participation. This might suggest that income from wages is not contributing to poverty reduction for disabled people to the extent that might be expected from the general labour market situation. This appears to be supported by data on in-work poverty, which also suggests an elevated risk among disabled people.[[12]](#footnote-12) In fact, social transfers also make relatively little impact on the poverty risk for working age disabled people in Germany, compared to most other EU countries.

EU-SILC data provides indicators of the key risks for people with disabilities. In addition to household risks of low work intensity, there are risks of low income (after social transfers) and material deprivation. These three measures are combined in the overall estimate of risk. The risks for older people do not include work intensity (Eurostat refers to the age group 0-59 for this measure). The survey does not distinguish ‘activity limitation’ (the proxy for impairment/disability) for children under the age of 16. Relevant data provided by the national expert was added in chapter 2.4.

The overall risk factor for poverty is, on a national as well as EU-basis clearly connected with disability and with the severity of disabilities (see tables 17 and 18). It is remarkable that Germany as one of the economically most prospering countries across the EU shows higher risk of poverty and higher poverty rates for disabled people and other disadvantaged population groups like migrants than the EU average. The highest risk for household poverty can be assessed for the age group up to 64 (see table 19). All European and national data documented in chapter 2.3 indicate a higher poverty risk for disabled compared with non-disabled persons, especially for the age group of 18 to 64 with even higher risks for disabled women, severely disabled persons and disabled persons with migration backgrounds.

While on the national level the household poverty risk seems to stay rather stable or even decline for non-disabled people in all age groups, it tends to increase for disabled persons since 2010 (see table 20). Also further national data of the newest national disability report (Engels et al. 2017) documented that the poverty risk for non-disabled persons slightly sank from 2009 to 2013 and continuously increased for disabled people (ibid.: 203).

The disadvantaged economic situation of disabled women and men is connected to their disadvantaged employment situation. The national Disability report 2016 documented lower income for disabled compared with non-disabled persons, with the lowest income for disabled people living alone or in single-parent-households (Engels et al. 2017: 198). Furthermore, disabled women and men are more than twice as often dependent on public support compared to non-disabled women and men with women, especially disabled women, being more dependent (ibid.: 197).

A secondary analysis of the national statistical data from 2013 conducted by Libuda-Köster and Schildmann (2016) provides further information on the role of gender and disability with regard to the economic and the employment situation. It is shown that disabled women and men cover their living costs to a significantly higher extent from social benefits compared to people without disabilities who predominantly cover these costs from their own income. In general, women were more often dependent on alimony payments (ebd.: 5). Compared to men, women with as well as without disabilities were significantly more often employed part-time which can be traced back to difficulties in reconciling work and family. It is also documented in the results that women and men with disabilities as well as women without disabilities are significantly more likely to have low incomes. At this point the interrelationship of different structures of discrimination becomes obvious (ebd.).

# Assessment of policies in place to meet the relevant headline targets

In this chapter first the relevant National Reform Programme 2017 targets, and second specific policy developments and programmes which are documented and planned in the respective policy areas are discussed. Relevant sources for the latter are the National Action Plan 2.0 and the new National Participation Act (Bundesteilhabegesetz) as the most relevant state actions implemented with regard to the UN CRPD since 2016 (BMAS 2016a, 2016b).

The 2017 NRP makes several references to disabled people or disability policies (national and regional), including some reference to the UN CRPD. For example, there are references to labour market participation and employment incentives (p. 36), targeted poverty reduction (p. 46), age-appropriate housing (p. 48), preventative rehabilitation and workplace representation. However, there is not a strong recognition of the significant disability equality gaps that exist in unemployment, education and poverty (as outlined earlier in this report).

## Employment

In its 2015 Concluding Observations to Germany, the UN CRPD Committee expressed concern about ‘segregation in the labour market’ and that ‘segregated, sheltered workshops fail to prepare workers for or promote transition to the open labour market’.It was recommended that Germany should phase out sheltered workshops and create more employment opportunities in the open labour market, while maintaining levels of social protection.[[13]](#footnote-13) By now, the German government has not followed these recommendations consequently but instead taken rather contradictory measures that partially support the expansion of sheltered workshops.

Regarding employment, the Country Specific Recommendations of the European Council from 2016 focus on promoting a later retirement and a two-earner household model. Further, it is recommended to reduce the high tax burden for low-paid workers and to facilitate the transition from a ‘mini job’ to regular employment (Federal Ministry for Economic Affairs and Energy 2017: 14). Especially the latter two policies could have an indirect impact on the situation of people with disabilities.

The promotion and inclusion of people with disabilities does not play any role in the National Reform Programme 2017. However, some people with disabilities could indirectly benefit from some of these actions as well as the labour market success.

A rising general minimum wage (8.84 €/h), the increasing number of jobs, which are requiring social insurance, and the reduction of unemployment (including older workers and long-term unemployed persons) could have an indirect positive effect on the social and employment situation of people with disabilities (cf. NRFP; 6, 25, 28).

This also applies to the reduction of the tax burden for low-paid workers (p. 27), which could help improve their situation.

Also for older workers aged 60-64 years some success could be [achieve](https://www.dict.cc/englisch-deutsch/achieve.html)d: labour [participation](https://www.dict.cc/englisch-deutsch/participation.html) rose from 28% in 2005 to 56% in 2016. In addition to raising the retirement age to 68 years, a law was implemented to make the transition from working life into retirement more flexible and to strengthen prevention and rehabilitation in the working life (Flexirentengesetz). To the opinion of the Federal Government, this could contribute to the positive employment trend in regard to older workers (ibid. 25). Implicitly, also older persons with disabilities could benefit from this trend.

The current strategies to improve participation in the labour market focus on refugees and women as well as on the [compatibility](https://www.dict.cc/englisch-deutsch/compatibility.html) [of](https://www.dict.cc/englisch-deutsch/of.html) [family](https://www.dict.cc/englisch-deutsch/family.html) [and](https://www.dict.cc/englisch-deutsch/and.html) [work](https://www.dict.cc/englisch-deutsch/work.html) (ibid., 29, 33). People with disabilities are mentioned explicitly only once (p. 35), with respect to the [shortage](https://www.dict.cc/englisch-deutsch/shortage.html) [of](https://www.dict.cc/englisch-deutsch/of.html) [skilled](https://www.dict.cc/englisch-deutsch/skilled.html) [manpower](https://www.dict.cc/englisch-deutsch/manpower.html) and the objective of involving older persons as well as people with disabilities. However, the National Participation Act (Bundesteilhabegesetz) which is aiming at promoting participation and self-determination of persons with disabilities, and which is only mentioned on a marginal basis, seeks to increase the legal opportunities of participation for disabled people as well as the incentives for employers (ibid. 35).

Further measures planned that may have positive effects on young people with disabilities concentrate on successful training and career entry efforts, in particular for low-performing young people.

Promoting graduation-focused training for low-skilled workers and long-term unemployed persons, as well as an initiative for the initial qualification of young adults (‚Zukunftsstarter - Erstausbildung junger Erwachsener‘, cf.) could support the vocational qualification of people with disabilities, although it is unclear whether and how the target group is referred to in this programme.

As stated in the last ANED country report, supporting the re-entry of long-term unemployed people into the labour market, as well as transfers into regular employment are important goals that are not aimed at disabled people explicitly, but may affect them positively when applied appropriately. However, it remains unclear if the specific demands of disabled people are taken into consideration within the planned measures and to what extent they are affected by the measures.

Regarding the employment situation, the segregation of disabled people in the labour market is still a very significant problem in Germany that has also been criticised by the UN Committee for the UN CRPD. A big (and still increasing) number of disabled people work in sheltered workshops with few possibilities of transitioning into the primary labour market. Within the scope of the new action plan of the Federal Government it became apparent that work in sheltered workshops is still rather reinforced than reduced by the German Government. In several discussions with interest groups of disabled people and the national monitoring body this fact has been strongly criticised and the reduction of segregated working environments has been demanded – either by closing workshops or by converting them into regular companies. Overall, segregating disabled people into special working environments with low incomes and long-term dependencies, which lead to the long-term exclusion from the general labour market, remains a serious problem that has to be addressed by further measures of the German Government and the federal states (Bundesländer).

The new National Participation Law doubles the work subsidy allowance paid to people with disabilities working in sheltered workshops from 26 Euros to 52 Euros per month. In addition, the new budget for work shall help improve employment opportunities of employees in workshops. This includes wage subsidies for employers and [assistance](https://www.dict.cc/englisch-deutsch/services.html) for disabled employees (see Federal Ministry for Economic Affairs and Energy 2017: 35). This could be a step forward for transitions into the first labour market for the target group. It remains to be seen in the future how the latter will actually contribute to relevant transitions from sheltered workshops to regular employment.

## Education

The 2017 EU Joint Employment Report notes that several Member States have segmented secondary school curricula (separating general from vocational schooling) with employment chances lower for those graduating from the vocational schooling route. Germany is an example of this and the association between disability/special educational need, vocational curriculum segmentation and employment outcomes merits specific attention. This presents a parallel policy challenge to the reliance on sheltered employment in a segmented labour market.

In 2015, the UN CRPD Committee recommended that Germany should shift its strategy and resources away from segregated schools and towards inclusion in mainstream schools (with investment in reasonable accommodation, teacher training and appropriate support). Though the rate of students with disabilities who are educated in segregated schools is increasing continuously, still the majority of them is not educated in regular schools (cf. chapter 2.3).

In 2017 the Council of the European Union recommended that Germany needs to increase public investments in education, research and innovation, and, in particular, in effective inclusion of the recently arrived immigrants as this is crucial for Germany’s future economic success (Council of the European Union 2017: 4, 7). The National Reform Programme 2017 confirms the goal to increase capital investments for infrastructure, education, research and innovation by the government (Federal Ministry for Economic Affairs and Energy 2017: 16), though the educational sector is not one of the main areas of action. Inclusion of people with disabilities is not explicitly mentioned as an important objective here. Due to the changes in the political situation since 2015, the reform programme focuses on high degrees of education for and training of refugees. Further, children of underprivileged sections of population are explicitly mentioned as a socially disadvantaged group (ibid., p. 44).

In addition, progress is reported in increasing the educational level of disadvantaged persons: the number of young adults who did not graduate was reduced from 17% in 2006 to 9.5% in 2014 (ebd.: 30). Thus, the aim of the EU2020 strategy to reduce the number of early school leavers to a rate of under 10% has been achieved. The target to increase the number of people with tertiary education to at least 40% is reached as well: data show that the number of people aged 30-34 years with a tertiary or similar education was 45.7% in 2014 (ebd.: 30), thus, compared to 2013 (44.5%) this number further increased. To which extent also people with disabilities profited from this fact was not mentioned in the document, but the data presented in the current report supports a rather pessimistic picture.

To date the increased educational participation of disadvantaged groups has to focus with more engagement on the educational participation of disabled people. In Germany this group is still being educated in special schools to a reducing but still large extent with negative consequences in regard to qualified school graduating, training and further employment inclusion. The number of disabled people at universities is increasing but is still limited and the number of people with disabilities without school and vocational training is still high. These problems could not have been changed significantly through previous measures.

The target of increasing the level of education of disabled persons is not mentioned as an important issue in the National Reform Programmes 2016 and 2017. The promotion of an inclusive school system which provides the same school environments for all students is the most relevant approach. In Germany, there is still too much segregation of disabled pupils in spite of relevant progress in relation to inclusive schooling in the last years.

Progress with regard to improved education and training also for persons with disabilities might be reached by the new ‘Alliance for education and training 2015–2018’. In this alliance the federal government works together with the economy, the labour unions of the federal states (Bundesländer) and the federal labour office aiming at showing different ways for people that are interested in completing a training. In order to make training possible also for the weaker young persons the federal government introduced the ‘assisted training’ in 2015 as a central measurement of the alliance of education and training as a new temporary funding instrument. Moreover, the target group that is authorised to make use of support measures for trainings was expanded (ebd.: 32). Some ESIF funded projects run into the same direction (cf. chapter 6). It is recommended to evaluate this and other supportive measures regarding education and training in order to find out which of them are successful and should be expanded for success on a broader basis.

## Poverty and social inclusion

In 2015 the UN CRPD Committee recommended that Germany ‘immediately undertake a review of the personal income used by persons with disabilities to meet their needs and to live independently’ and invest in deinstitutionalization to promote community-based support services. Since 2017/18 the new Participation Law (Bundeteilhabegesetz) is in force that was aimed to improve the situation, but it is not clear by now to what extent it will actually meet these aims.

The German National Reform Programme of 2016 stated that, despite the good economic situation and the improved employment situation, especially the reduction of long-term unemployment, the poverty risk remains constant at 14-15% since 2005. No improvements could be achieved. The government did not develop and apply new strategies to change this since then. No specific funding instruments or measures for the target group of socially disadvantaged people with disabilities have been developed in NRP 2017 (ibid., 46).

With regard to social safety, only some of the planned improvements in the [reduced](https://www.dict.cc/englisch-deutsch/reduced.html) [earning](https://www.dict.cc/englisch-deutsch/earning.html) [capacity](https://www.dict.cc/englisch-deutsch/capacity.html) [pension](https://www.dict.cc/englisch-deutsch/pension.html) aiming at reducing the risk of early retirement may become indirectly relevant to people with disabilities (p. 47).

However, most of the investments mentioned in the National Reform Programme do not reach socially disadvantaged and/or people with disabilities. Planned investment strategies relate mainly to investments in transport and highways, technology, and research (with regard to digitisation and electric vehicles). Like the limitation of poverty, investments for socially disadvantaged and/or people with disabilities are not a focal point and are not explicitly named as an objective (ibid., 15-17).

People with disabilities could indirectly benefit from investments made by [local](https://www.dict.cc/englisch-deutsch/local.html) communities for social, affordable housing (ibid.48), as well as for [social-security](https://www.dict.cc/englisch-deutsch/social-security.html) payments, and [welfare](https://www.dict.cc/englisch-deutsch/welfare.html) [spending](https://www.dict.cc/englisch-deutsch/spending.html)s (e. g. [basic](https://www.dict.cc/englisch-deutsch/basic.html) [security](https://www.dict.cc/englisch-deutsch/security.html) [benefits](https://www.dict.cc/englisch-deutsch/benefits.html) [for](https://www.dict.cc/englisch-deutsch/for.html) old people, people with a reduced ability to work, unemployed persons, ibid.,17).

Investments for (room) modifications for disabled people are only mentioned in connection with the increasing number of elderly people with mobility restrictions. The fund of the old-age modification programme ‘Altersgerecht Umbauen’ is comparatively small with 75 million Euros. Also, it is unclear to what extent this programme can also be used by other (younger) people with disabilities.

Even though disabled people are very affected by poverty and social exclusion as well as by long-term unemployment, current strategies do not focus the reduction of poverty and long-term unemployment for this target group explicitly. Furthermore, no relevant changes in this target group’s situation can be observed. Besides long-term unemployment, the higher costs for compensating disability are still not financed adequately. It is still not clear if the new National Action Plan (NAP II) and the new National Participation Act (‘Bundesteilhabegesetz’) will contribute to improve the situation.

One relevant aspect that might be improved by the National Participation Act (‘Bundesteilhabegesetz’) is the problem mentioned in the former national reports: Disability rights initiatives were lobbying for a law which anchors benefits that are unrelated to income and personal assets. Now the target to change the law away from a social assistance law towards a modified participation law seems to proceed.

## Synergies between developments in the different areas

There are other further recommendations in the NFP that might have effects on disabled people, for instance improvements of the municipal infrastructure and the social environment in cities, incentives for the improvement of the housing market situation, reduction of fees for low-paid workers, and an increase of the educational participation of disadvantaged groups and measures to integrate unemployed people into the labour market. In general, it seems that there is paid less attention to specific support of disabled people due to major challenges concerning refugee policy within the new NFP. Moreover, segregations of disabled people in education and occupation are not reduced enough purposefully. To promote positive effects for disabled people, on the one hand measures have to be adapted to the target group more appropriately. On the other hand, segregation in separated school and occupational systems must be abolished as these are significantly correlated to continued discrimination against disabled people.

Concerning work environments, private companies have to be motivated and also put under financial pressure to open their doors to disabled persons and they still need more information about the possibilities and benefits of employing disabled persons. Higher education levels and thus more employability will have positive effects on the poverty risks, but the current report shows that disabled persons and other disadvantaged group might not profit from this development. The goals formulated in the EU 2020 Strategy will provide ways to achieve better living conditions, but they do not go far enough and are not specific enough in order to meet the needs of disabled persons in Germany.

# Review of the European Semester from a disability perspective

## Progress on disability-specific Country Specific Recommendations (CSRs)

The 2017 document for Germany includes no CSRs which specify disability-related issues, nor any mention of disability in the supporting text.[[14]](#footnote-14)

## Progress on other CSRs from a disability perspective

Two recommendations of the CSRs include very few aspects which could have effects on disabled persons in Germany (Council of the European Union, 2017).

First, it is recommended to invest more money into education, research, and innovation (Council of the European Union 2017, p. 7). The German government stated in their country report 2017 that more investments will be made for this area, though it did not refer to inclusive schooling. It would be important to address this aim to persons with disabilities, especially with regard to the still exclusive school system. The school system is still segregated in Germany, particularly secondary and tertiary education. For future planning it should be monitored if and to what extent the investments contribute to more inclusion and higher levels of education for disabled persons. Further, it should be monitored if the investments in research and innovation are also relevant for processes of social inclusion of persons with disabilities and other disadvantaged groups. The second relevant recommendation of the CSR 2017 relates to the reduction of high taxes for low-wage-earners, the promotion of higher wage growth in general, and the necessity to facilitate transitions to regular employments, especially for second earners. These topics are also relevant for disabled persons because they often are low-wage earners, employed in mini- or part-time jobs. The recommendation to reduce high taxes, especially for low-wage earners as well as the recommendations to promote higher wages and support regular employment could affect the situation of disabled persons in a positive way. A problem is that the target group of disabled persons seems to go out of sight with respect to the transitions to standard employments as this target is now related to women only. Disabled persons are more than others dependent on a high level of social security. As a majority of employed disabled persons are low-wage earners, measures in this field will hopefully affect their wages and their quality of life.

In Germany in 2015 a general minimum wage was implemented. This might also have further positive effects for disabled persons in the low-pay sector. Nevertheless, the minimum wage is not provided for persons working in sheltered workshops and will not affect their financial independency. The still small amount of money for this target group does not allow an independent life. The still existing segregated work spaces especially for persons with cognitive disabilities remain a human rights and social problem in Germany. More efforts need to be made in order to counteract the segregation.

Another problem is that in Germany the wealth inequality is high and not all groups have benefited from positive economic trends. The CSR mentions the high poverty risks in old age, but incentives for later retirement and the introduction of the “Flexi-Rente”, will not solve the problem. More benefits need to be implemented for severely disadvantaged groups like elderly people, persons with (severe) disabilities, persons with migration backgrounds and unemployed persons in order to [secure](https://www.dict.cc/englisch-deutsch/secure.html) their social life and participation.

Accelerate investments in particular at municipal level also have to be invested for accessible infrastructure. Investments in education should comprise investments for inclusive schools and universities. Here, the CSR 2017 seems to omit the relevant group of persons with disabilities.

## Assessment of disability issues in the Country Report (CR)

The Country Report 2017 does not refer to disability issues or to the situation of disabled people in its assessment.[[15]](#footnote-15) This is surprising and presents a missed opportunity in light of the concerns and evidence available. For example, there is focused attention on labour market outcomes for people with a migrant background, but unemployment is also a disproportionate challenge for disabled people. The persistent number of registered long-term unemployed persons is identified as a challenge, but the disability dimension could be acknowledged here. The analysis considers wage growth, but it fails to identify the elevated disability risk of in-work poverty. The adequacy of some benefits is considered, but not those that address the large disability poverty gap. The challenge of inclusive education is not mentioned, despite the segmentation concerns identified in the 2017 Alert Mechanism. The 2015 CRPD recommendations refer directly to each of these issues and provide a strong rationale for greater disability mainstreaming in the 2018 semester analysis.

Aspects relevant to disabled people are (1) the employment situation, (2) wages, taxes, and poverty, (3) housing and investment in infrastructure (4) education.

1. Employment situation

The low unemployment (3.9%) and high employment rate (78.9%) in the general population (aged 20-64 years) is not reflected to the same extent in full-time employment (ibid. 9). The level of part-time jobs and mini-jobs in Germany remains very high (ibid. 9). No progress could be achieved in facilitating the transition from mini-jobs to regular employments (ibid. 6, 17). Furthermore, an increase of temporary work and work contracts is seen. (ibid. 37). These aspects have negative effects on social inclusion, and they perform social inequalities, as people with disabilities are less often occupied in full-time jobs and more often in part-time and mini-jobs than non-disabled persons.

The country report provided no substantial or effective measures to change the situation. Women, migrants, and elderly people are seen as a relevant work force at the labour market (ibid. 34). Disabled people are not explicitly mentioned. The report also shows that special groups are highly discriminated in the labour market such as women and migrants. Their participation in full-time jobs is very much lower compared to men and non-migrants. The situation of disabled persons is not explicitly mentioned (ibid. 34-35).

Another important aspect affecting disabled people as well as other vulnerable groups is that long-term unemployment could not be reduced by now. The number of unemployed persons stays stable at about 1 million. The report states:

“Around 57% of long-term unemployed people have been in that status for more than two years. A significant proportion of them suffer from multiple employment barriers such as low skills and a lack of language skills, health problems, care obligations or age-related problems. Jobcentres do not seem to sufficiently link active labour market policy (ALMP) measures to follow-up actions.” (ibid. 37)

In this situation, it is highly problematic that the per-capita integration budget for long-term unemployed recipients of unemployed benefit II (*Eingliederungsleistungen*) has been reduced since 2010. (ibid. 37)

1. Wages, taxes, and poverty

The country report shows a moderate increase of the minimum wage, but limited progress in the reduction of the high tax wage, especially for low-wage earners (p. 5-7, 17). It states: “Not all members of society have benefited equally from the overall positive economic and labour market developments of the last few years” (ibid. 7). Instead high-income inequalities and one of the highest levels of wealth inequalities across the EU can be found in Germany. Furthermore, no decline in the risk of poverty and severe material deprivation could be reached, and various indicators of relative poverty and social exclusion are on the increase (ibid. 7, 3). Besides that, pension adequacy is expected to further deteriorate (ibid. 7, 37). The amount of people at risk of poverty and social exclusion stays stable (at about 20%). The risk of poverty rate has increased (from 15.6 in 2010 to 16.7 in 2015). The severe material deprivation stays stable since 2010 (at 4-5%). Furthermore, the proportion of people living in low work intensity households stays stable at 10% and the in-work risk of poverty rate is increasing (from 7.2% of persons employed in 2010 to 9.8% in 2015) (ibid. 67). At the same time, the expenditures for social protection benefits did not increase, partly they even decreased (ibid. 67).

As people with disabilities are often low-income earners and at risk of poverty, this general political and societal situation is influencing their social situation in a negative way.

1. Housing and investment in infrastructure

According to the country report problems of housing and accommodation exist that might also be relevant for disabled persons due to their lower income and worse economic situation. Growing population and urbanisation as well as growing prices for accommodation (both, rental fees and prices for house property) could have social implications: socially vulnerable people may be crowded out of the cities to the peripheral areas (ibid. 30) (with a worse infrastructure, accessibility and suitability, resulting in reduced career possibilities). The related situation of disabled persons as well as accessible housing are not directly discussed in the report.

Another relevant point is the public investment in infrastructure. Higher investment for municipal infrastructure could be relevant for accessible housing for people with disabilities, though accessibility is not explicitly mentioned in the report (ibid. 46). In 2015 the state allocated additional 10 billion euros for investments in infrastructure, energy efficiency, climate and flood protection, and urban development. Further, the state set up a special fund of 3.5 billion euros to support investments in municipal infrastructure, and contributed funds to finance local public transport, expand social housing and finance energy-saving measures. In 2016, the government provided the federal states once more with extra funds for investments in social housing and expanding pre-school childcare. Federal states and municipalities have been further relieved of expenditures for asylum seekers and refugees and other social spending, which should increase their scope for public investments (46). For the next years it has to be monitored whether these additional funds help improve housing and accessibility and strengthen the economic and social situation of disabled persons and other vulnerable groups in the society or not.

1. Education

With respect to education inclusive schooling is not mentioned at all in the report, though in the last years it was (and still is) a highly relevant topic of the federal states “Bundesländer”. The reduction of early school leaving and increasing tertiary education attainment were mentioned positively (ibid. 6). The better inclusion of people with disabilities and other disadvantaged groups is not subjected in the whole section on education. Investments for education remained stable at about 4.3% of GDP. They did not increase since 2010. This percentage is below the EU average of 4.9% (47). All in all, the efforts made to improve education and to promote inclusion of specific groups does not seem to play an important role in the report.

1. Conclusion

In none of the sections, disability is addressed explicitly. Thus, the importance of more equality and inclusion of several groups (women/men, migrants/non-migrants, disabled/non-disabled people) needs to be stressed due to the limited progress and to some extent even steps back regarding social inclusion during the past seven years.

Supporting especially persons at risk of poverty, such with low wages and disabled long-term unemployed people to gain regular employment conditions would be a very important goal. Current policies supporting rather than reducing segregated working environments in terms of sheltered workshops can be criticised. Further, in this context no policy changes towards an effective inclusion of disabled persons in the labour market has been fulfilled, even though this was planned within the national action plans for the implementation of the UN CRPD. This also contradicts the recommendations of the UN committee for the implementation of the UN CRPD that requested the abolition of segregating structures in education and employment after their examination of the German federal states in 2015.

Another problem is that despite in Germany some measures have been taken to transform atypical forms of employment such as mini jobs or small-scale employment into sustainable forms of employment, there cannot be found relevant progress in this field by now. The high tax burden even for low-income earners and financial disincentives to working more need to be changed. Furthermore, there is a need for more state investments for secure occupations for all. Effective methods for the integration of all persons able and willing to work into the labour market must be developed. Despite the good economic situation poverty and social inequalities have not been reduced, partially they even rise. The statutory introduction of the minimum wage was an important step forward but did not eradicates the problems. Social policy, social protection, and social inclusion should play a higher and leading role in future policies.

Like the data of the ANED report show, persons with disabilities are affected by social exclusion and poverty to a remarkably higher rate than persons without disabilities. More efforts are necessary to protect this group from poverty, to strengthen their inclusion in education and the labour market, and to compensate the higher costs that are often related to disabilities.

# Assessment of the structural funds ESIF 2014-2020 or other relevant funds in relation to disability challenges

Currently, there are no EU Structural Funds projects in Germany which deal explicitly with disability related issues. Only few projects and measures funded by ESIF within the National Reform Programmes 2016 and 2017 that imply a possible linkage with disability are mentioned.

The project “Strengthening youth in the district” (“Jugend stärken im Quartier”) that is funded from 2015-2018 with about 120 million Euros from the European Social Fond and the federal budget provides socio-pedagogical support and counselling for young people with special needs of support for the transition from school to work. It is not clear to what extent young people with disabilities concretely profit from this project (NRP 2016: 49).

Several projects funded by the European Social Fonds develop measures for a better and early inclusion into the labour market of refugees and people with a migrant background but also of women and older employees (NRP 2016: 51, 55). Again, no particular support for disabled people is apparent.

One of these projects is a qualification measure that contributes to a recognition of foreign professional qualifications of migrants and their integration into the labour market according to their qualifications on the basis of the recognition act („IQ-Förderprogramm: Qualifizierungen für Migrantinnen und Migranten im Kontext des Anerkennungsgesetzes”, ESF Förderung 2015-2018; NRP 2017: 54).

Another project is the national ESF integration directive enduring until the end of 2019. Target group of this measure are young persons aged below 35 years with particular difficulties getting vocational trainings and/or jobs (long-term unemployed, applicant for asylum, refugees). These persons shall gradually be integrated into the labour market. It is unclear to what extent persons with disabilities use these measures.

Another ESF-funded project for extremely disadvantaged persons in the federal state Saxony gradually promotes employment and social integration into the labour market It is aiming at improving employability for long-term unemployed women and men in difficult, complex circumstances for which other measures were not successful (NRP 2017, p. 93). In the federal state [Thuringia](https://www.dict.cc/englisch-deutsch/Thuringia.html) a similar project has been implemented („Thüringer ESF-Aktivierungsrichtlinie“) (NRP 2017, p. 95).

A project in Baden-Wuerttemberg funded by the European Social Fund and dealing with the integration of unemployed does also not explicitly focus on disabled people. Here, younger single parents, older people, as well as migrants are explicitly mentioned (NRP 2016, p. 78). Further programmes from several federal states (Bundesländer) are measures to better integrate refugees and migrants into qualification measures and employment (cf. Rheinland-Pfalz; NRP 2017, p. 58).

Another project in the field of vocational education and training is sponsored by the ESF national programme from 2014 to 2022. It relates to the integration of young people into vocational training. This stepwise measure aims at achieving the school leaving certificates, improving professional orientation, and selection, admission and stabilisation of a vocational training relationship. The process is supported and monitored by a person in charge (Berufseinstiegsbegleiter/in) (cf. ESF-Bundesprogramm „Kofinanzierung der Berufseinstiegsbegleitung nach § 49 SGB III”, NRP 2017: 79). Whether there are specialisations for the promotion of young people with disabilities is not known.

In addition, particular measures of the ferderal states (Bundesländer) to raise the educational level of disadvantaged are co-financed by the ESF programme. The target group includes children and young people with disabilities. A project launched in Saxony in 2016/2017 for example promotes equality in opportunities. In selected children's day care centres children with special learning and life difficulties are supported by identifying assistance and support needs, contribution of pedagogical specialists, networking with other specialists and by parental work. The goal is to strengthen the children in their development and compensate for developmental deprivation so that the children can successfully shape their future educational path (NRP 2017, p. 87).

Two projects in the federal state Saxony-Anhalt that are running up to 2020, funded by the ESF programme („Schulerfolg sichern“ und „Produktiv Lernen“) aim at ensuring a high level of education for all children and young people, preventing premature school drop-off, enabling equal access to a high quality primary and secondary education, and supporting pupils with endangered [school-leaving](https://www.dict.cc/englisch-deutsch/school-leaving.html) certificates (NRP 2017, p. 80). It can be assumed that pupils with disabilities and [special](https://www.dict.cc/englisch-deutsch/special.html) [educational](https://www.dict.cc/englisch-deutsch/educational.html) [needs](https://www.dict.cc/englisch-deutsch/needs.html) also benefit from this measure.

In summary, although several projects supported by the ESF implicitly include people with disabilities in their target groups, it is often unclear whether these are specifically related to them and systematically address their needs. In this respect, it would be important to support more projects in the area of education, vocational training and social protection, specifically aimed at children, adolescents and adults with disabilities (for instance in the area of schooling and studying, transition to work, support of jobseekers, an action strategy for implementation of inclusive training and work projects).

# Recommendations

The German Government has taken some relevant measures to improve the education and employment situation of people with disabilities; the second National Action Plan (NAP II) as well as the new Participation Law (“Bundesteilhabegesetz”) provide important steps in the right direction. Nevertheless, the current EU 2020 report shows that inequalities between both non-disabled and disabled people are by now not declining and to some extent increasing. Though Germany is one of the richest countries across Europe and the labour market situation is quite well, disabled persons could not profit from this situation: their participation in education and employment is still problematic and for relevant parts the poverty risk could not be reduced. It is even more concerning that the new Country Specific Recommendations and the Country Report are not focusing on the target group of disabled persons any more.

Segregation and ineffective social protection seem to be the main problems for the still existing and partly even broadening gap between disabled and non-disabled people in Germany. Thus, three aspects are calling for immediate measures to improve the situation:

* The segmented labour market has to be changed by abolishing segregation through sheltered workshops with low wages; more effective measures have to be taken to provide qualified inclusive and self-determined employment and social protection for all. Instead of sheltered workshops integrated work projects should be supported and it should be ensured that all disabled people receive the minimum wage.
* The still highly segmented education system has to be decomposed more effectively as it is a central reason and background factor for low education and qualification for specific groups of disabled persons; high quality inclusive education has to be considered a basic human right as well as a precondition for equal opportunities to take part in higher education and employment. Higher education for disabled students and intensified support for tertiary education and participation in the academic workspace have to be facilitated to provide full participation.
* Measures have to be intensified to combat poverty and poverty risk for disabled people, especially for those at working age; education and employment as well as more financial support are a necessary basis for this aim.

All in all, disability mainstreaming has to be part of all education, employment and social protection measures by the government and federal states and must be focused on in the country reports and state goals as well as in regard to EU-Funds. The European Commission staff should monitor whether specific situations or outcomes in relation to disability mainstreaming are part of the analysis for 2018.

We still recommend that future ESIF projects should explicitly concentrate on the improvement of the life, education and work situation of disabled people. ESIF projects should be obliged to include disability as an explicit issue and “equal opportunities for all” should have a high priority on the ESIF agenda.

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1. <http://ec.europa.eu/europe2020/pdf/targets_en.pdf>. [↑](#footnote-ref-1)
2. EUSILC UDB 2015 – version of October 2017. [↑](#footnote-ref-2)
3. The SILC survey questions are contained in the Minimum European Health Module (MEHM) <http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Glossary:Minimum_European_Health_Module_(MEHM)>. [↑](#footnote-ref-3)
4. The reason for this is a change in the basic questions on limitations. The new question for Germany is: “To what extent are you permanently handicapped by illness in the practice of your everyday work? We mean for at least half a year.” And possible answers are: “Significantly limited”, “limited, but not significantly” and “not limited”. Former questions lead to a broader definition as the 6-months-timeframe was not included in the first question but later, and specifying questions included as alternatives: “highly limited” and “moderately restricted”. [↑](#footnote-ref-4)
5. As shown in the ANED EU2020 synthesis report for 2016, the outcome indications are to some extent positively associated with self-reported prevalence rates, although not determinately so. [↑](#footnote-ref-5)
6. The methodology is further explained in the annual statistical reports of ANED, available at <http://www.disability-europe.net/theme/statistical-indicators>. [↑](#footnote-ref-6)
7. In this text the terms “Paticipation Report” and “Disability Report” are used equally. The German term “Teilhabebericht” is equal with the English Term “Participation Report”. The second “Teilhabebericht 2016” was published in January 2017 (cf. Engels at al. 2017). [↑](#footnote-ref-7)
8. According to a specific regulation of the basic income for people seeking work (§53a Abs.2 SGB II) that came into force in 2008, beneficiaries that are able to work are not classified as unemployed as long as they received benefits under SGB II after attaining the age of 58 for at least one year and as long as no insurable employment was offered to them. This paragraph lead to a reduced number of older severely disabled unemployed people (BFA 2016: 10). [↑](#footnote-ref-8)
9. Unemployed (Arbeitslose) are defined in the Social Code Book (§16 SGB III) as persons not being employed but actively looking for regular employment and being registered by the agency for work; unemployed persons in training measures are excluded here. There is another slightly different definition of ILO for “persons not being employed” (Erwerbslose) that includes persons who are not employed or who are employed less than 1 hour a week and who are looking actively for employment. In the following we present the data for unemployed persons (Arbeitslose). [↑](#footnote-ref-9)
10. For the LFS AHM data see, Early school leavers <http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=hlth_de010&lang=en>

    and for tertiary educational attainment <http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=hlth_de020&lang=en>. [↑](#footnote-ref-10)
11. This is the case for other vulnerable groups as well: the heightened employment of women, for example, is only based on the extension of part-time work; their contribution in full-time occupation has almost not increased in Germany. [↑](#footnote-ref-11)
12. Using corresponding EU-SILC 2014 data extracted from the Eurostat disability database (hlth\_dpe050) <http://ec.europa.eu/eurostat/web/health/disability/data/database>. [↑](#footnote-ref-12)
13. <http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fDEU%2fCO%2f1>. [↑](#footnote-ref-13)
14. <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32017H0809%2805%29>. [↑](#footnote-ref-14)
15. <https://ec.europa.eu/info/sites/info/files/2017-european-semester-country-report-germany-en.pdf>. [↑](#footnote-ref-15)