

# Promoting the right of persons with disabilities to live independently and to be included in the community

Ines Bulic Cojocariu  
European Network on Independent Living  
(ENIL)

Brussels – 21 May 2019



#RuralDepopulation

# About ENIL

Established in 1989;

Brings together grassroots organisations run by disabled people, and individuals;

Members in 47 countries across Europe;

Advocates for control and choice for disabled people through personal assistance, peer support, barrier-free environment, housing options and technical aids;

Our main activities: personal assistance, data collection, peer support training, promoting deinstitutionalisation, EU Funds advocacy, the right to independent living, disability hate crime, 5<sup>th</sup> May – European IL Day, Freedom Drive;

ENIL Youth Network & ECCL;

Campaign EU Funds For Our Rights - supported by Open Society Foundations – Public Health Programme - the aim is to encourage the European Commission and the Member States to improve the monitoring and complaints system, in order to ensure that Structural Funds are used to support the rights of disabled people, rather than restrict them.

# Article 19 of the UN Convention on the Rights of Persons with Disabilities



# General Comment No 5

35. Support services must be available within safe physical and geographical reach to all persons with disabilities living in urban or **rural areas**. They have to be affordable, taking into account persons living on low incomes. They also need to be acceptable, which means that they must respect standard levels of quality and be gender, age and culturally sensitive.

63. Support for persons with disabilities should be assessed using a personalized approach and tailored to the specific activities and actual barriers to inclusion in the community that persons with disabilities face. The assessment should acknowledge that persons with disabilities require access to participate in activities that varies over time. States parties should **ensure that personalization of support, including cash transfers/personal budgets, take into account and address the challenges that persons with disabilities face when living in rural and/or urban areas.**

# Barriers to Independent Living

1. Lack of specialised support services in the community for people with disabilities
  - **rural/urban divide** in service provision, which sees a greater variety of services available in larger cities than in smaller towns
  - in Slovakia, for example, stakeholders repeated that it is **typical of a smaller locality to have “an almost complete lack of community-based services”**
2. Unavailable or inaccessible general services
3. Inflexible rules and regulations on the provision of services for people with disabilities
4. Lack of employment opportunities for persons with disabilities
5. Staff working conditions

Source: EU Fundamental Rights Agency, *From institutions to community living for persons with disabilities: perspectives from the ground*, 2018; available at: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2018-from-institutions-to-community-living-ground-perspectives\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-from-institutions-to-community-living-ground-perspectives_en.pdf)

# European Disability Strategy 2010 - 2020

The European Commission committed to:

“Promote the transition from institutional to community-based care by: **using Structural Funds and the Rural Development Fund to support the development of community-based services** and raising awareness of the situation of people with disabilities living in residential institutions, in particular children and elderly people”

# European Structural and Investment Funds

## Common Provisions Regulation

**Objective 9:** Promoting social inclusion, combating poverty and any discrimination

**Ex ante conditionalities** – a thematic conditionality (strategy for poverty reduction that includes measures for the transition from institutional to community-based care) and general conditionalities (non-discrimination and UN CRPD)

# European Structural and Investment Funds

## European Agricultural Fund for Rural Development (EAFRD)

Fostering the competitiveness of agriculture

Ensuring the sustainable management of natural resources, and climate action

Achieving a **balanced territorial development of rural economies and communities including the creation and maintenance of employment.**



# European Structural and Investment Funds

## EAFRD Regulation:

Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005

### Article 5 - Union priorities for rural development:

“(6) Promoting **social inclusion**, poverty reduction and economic development in rural areas, with a focus on the following areas:

- (a) facilitating diversification, creation and development of small enterprises, as well as job creation;
- (b) fostering local development in rural areas;
- (c) enhancing the accessibility, use and quality of information and communication technologies (ICT) in rural areas.

# European Code of Conduct on Partnership

A framework for involving partners in the programming, implementation and monitoring and evaluation of ESIF in 2014 – 2020

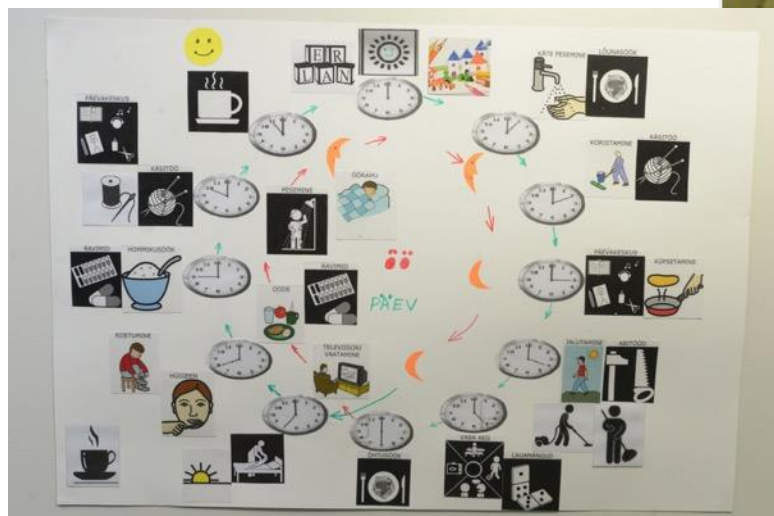
“... implies close cooperation between public authorities, economic and social partners and bodies representing civil society at national, regional and local levels throughout the whole programme cycle consisting of preparation, implementation, monitoring and evaluation.” (Recital 2)

See Thematic Network on Partnership study on the quality of partnership (Technical Dossier No. 7, June 2018)

# ESI Funds in practice

How SF are commonly used	How SF should be used
Renovating/modernising institutions	Developing alternatives in the community that facilitate IL (infrastructure and support, such as personal assistance)
Building new institutions	Developing alternatives in the community that facilitate IL (infrastructure and support, such as personal assistance)
Building group homes or living centres	Increasing the social housing stock, purchasing regular apartments and houses in the community, making apartments and houses in the community accessible
Funding special/parallel services (day centres, sheltered employment, special schools)	Making mainstream services accessible and available to disabled people (employment, education, childcare, health, transport etc.)

# Example (2007-2013)



# Facilities co-funded by EAFRD

- A new residential home for 16 persons with cognitive and physical disabilities
- A run down residential home for 8 persons with disabilities is being replaced by a new residential home for 16 persons with cognitive and/or physical disabilities
- New sheltered workshop for 28 persons with disabilities

Source: ANED,  
<https://www.disability-europe.net/seminar/710-eleventh-annual-meeting>



# Examples of good practice

- **Local Area Coordination:** the focus is on building citizen led, welcoming communities that are powered by the rich skills, gifts, experience and contribution of everyone, especially people who have been marginalized due to age, disability or mental health
  - Watch the video: <https://youtu.be/9KvmoJQuvAE>
- **Community Catalysts:** developing small scale support providers in remote/rural local communities in the UK
  - Watch the video: [https://youtu.be/G7ebjg\\_PTQI](https://youtu.be/G7ebjg_PTQI)
- European Coalition for Community Living **webinar series on deinstitutionalization:**  
[https://www.youtube.com/playlist?list=PLM2bLC11Amp9-xBLG\\_3OjQSMFUmMuPajk](https://www.youtube.com/playlist?list=PLM2bLC11Amp9-xBLG_3OjQSMFUmMuPajk)
- **ENIL/EDF collection** of examples: [https://enil.eu/wp-content/uploads/2019/03/GoodPractice\\_web.pdf](https://enil.eu/wp-content/uploads/2019/03/GoodPractice_web.pdf)

# Useful resources

- ENIL – Briefing on the use of EU Funds for Independent Living: [http://enil.eu/wp-content/uploads/2018/04/EU-Funds-Briefing\\_web0903.pdf](http://enil.eu/wp-content/uploads/2018/04/EU-Funds-Briefing_web0903.pdf)
- ENIL Myth Buster on Independent Living: <http://www.enil.eu/wp-content/uploads/2014/12/Myths-Buster-final-spread-A3-WEB.pdf>
- General Comment No 5 on Article 19 of the UN Convention on the Rights of Persons with Disabilities:  
[https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/5&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/5&Lang=en)
- Guidance on ensuring the respect for the Charter of Fundamental Rights of the European Union when implementing the European Structural and Investment Funds: [http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C\\_.2016.269.01.0001.01.ENG&toc=OJ:C:2016:269:TOC](http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2016.269.01.0001.01.ENG&toc=OJ:C:2016:269:TOC)
- Common European Guidelines on the Transition from Institutional to Community-based Care (2012) & Toolkit on the Use of EU Funds (2014):  
<https://deinstitutionalisation.com/eeg-publications/> (European Expert Group on the Transition from Institutional to Community-based Care)

# Thank you for your attention!

[www.enil.eu](http://www.enil.eu)