

**SEVENTH DISABILITY HIGH LEVEL GROUP REPORT
ON THE IMPLEMENTATION OF THE UN CONVENTION
ON THE RIGHTS OF PERSONS WITH DISABILITIES**

July 2015

Disclaimer

This report has only been partially edited.

A large part of this document is based on contributions written in English or French, mainly by non-native authors. The Commission did not have sufficient translating and language editing resources to correct all linguistic imperfections.

The Report takes account of developments until approximately end of 2014 with few remarks to 2015.

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INTRODUCTION

Since 2008, the Commission and the Disability High-Level Group (DHLG) have published an annual joint report on the implementation of the UN Convention on the Rights of Persons with Disabilities (UNCRPD). These DHLG reports include information on progress made in the setting up of the governance structures and processes foreseen by Art. 33 of the UNCRPD and on the elaboration and implementation of national strategies and actions to effectively put in practice the UNCRPD. Each year, a chapter is devoted to specific thematic areas, such as accessibility (in 2009 and 2012), or the interface between the implementation of the Convention and the Europe 2020 headline targets for education, employment and poverty (in 2011). The DHLG reports help identifying and exchanging good practice. They contribute to the implementation of the EU Disability Strategy and facilitate reporting to the United Nations under the Convention's obligations.

The first chapter summarises the updated information on the process of signature and ratification of the UNCRPD and its Optional Protocol by the Member States and the EU, on reservations and declarations upon ratification, and includes information on reporting and examination of the Member States and the EU by the UN. The second chapter focuses on progress in the national implementation and monitoring of the UNCRPD. This year's thematic chapter focusses on people with disabilities in the Europe 2020 Strategy for Smart, Sustainable and Inclusive Growth, and on how Member States are implementing this strategy.

These three chapters are complemented by three annexes with practical information. Annex 1 lists details of identified responsible authorities, focal points, coordination mechanisms and contact points. Annex 2 provides links to national websites where more information on the UNCRPD can be found, including national translations of the text of the UNCRPD and the Optional Protocol. Annex 3 includes Norway's contribution to the 7th High Level Group Report.

The European Commission prepared the report on the basis of replies to questionnaires and updates received from 28 Member States, Norway and non-governmental stakeholders – the European Disability Forum (EDF) and the European Association of Service Providers for Persons with Disabilities (EASPD). These two EU-level non-governmental organisations were consulted because EDF represents persons with disabilities and their organisations and EASPD represents service providers.

The European Commission did not make intervention in the countries' and civil society' contributions other than editing with the exception of the synthesis in the thematic chapter on people with disabilities in the Europe 2020 Strategy prepared on the basis of the questionnaires received.

1. STATE OF PLAY ON SIGNATURE, RATIFICATION, REPORTING AND EXAMINATION OF THE CONVENTION AND OPTIONAL PROTOCOL IN THE EU AND THE MEMBER STATES

On 30 March 2007, the day of opening for signature, the UN Convention on the Rights of Persons with Disabilities (UNCRPD) was signed by the European Community and twenty two of its Member States. Seventeen of those Member States also signed the Optional Protocol. As of April 2015 the UNCRPD has been signed by the European Community, now the European Union, and all its Member States. The Optional Protocol has been signed by 23 Member States. The Convention entered into force for the EU on 22 January 2011. Twenty-five Members States have ratified the Convention and Ireland, Finland and the Netherlands are in the process of ratifying.

A. Signatures and Ratifications

Dates of signatures and ratifications				
Country	Signature		Ratification*/Formal confirmation	
	UN Convention	Optional Protocol	UN Convention	Optional Protocol
BE	30 March 2007	30 March 2007	2 July 2009	2 July 2009
BG	27 September 2007	18 December 2008	22 March 2012	-
CZ	30 March 2007	30 March 2007	28 September 2009	-
DK	30 March 2007	n/a	24 July 2009	23 September 2014
DE	30 March 2007	30 March 2007	24 February 2009	24 February 2009
EE	25 September 2007	n/a	30 May 2012	30 May 2012
IE	30 March 2007	-	-	-
EL	30 March 2007	27 September 2010	31 May 2012	31 May 2012
ES	30 March 2007	30 March 2007	3 December 2007	3 December 2007
FR	30 March 2007	23 September 2008	18 February 2010	18 February 2010
HR	30 March 2007	30 March 2007	15 August 2007	15 August 2007
IT	30 March 2007	30 March 2007	15 May 2009	15 May 2009
CY	30 March 2007	30 March 2007	27 June 2011	27 June 2011
LT	30 March 2007	30 March 2007	18 August 2010	18 August 2010
LV	18 July 2008	22 January 2010	1 March 2010	31 August 2010
LU	30 March 2007	30 March 2007	26 September 2011	26 September 2011
HU	30 March 2007	30 March 2007	20 July 2007	20 July 2007
MT	30 March 2007	30 March 2007	10 October 2012	10 October 2012
NL	30 March 2007	-	-	-
AT	30 March 2007	30 March 2007	26 September 2008	26 September 2008
PL	30 March 2007	-	25 September 2012	-
PT	30 March 2007	30 March 2007	23 September 2009	23 September 2009
RO	26 September 2007	25 September 2008	31 January 2011	-
SI	30 March 2007	30 March 2007	24 April 2008	24 April 2008
SK	26 September 2007	26 September 2007	26 May 2010	26 May 2010
FI	30 March 2007	30 March 2007	-	-
SE	30 March 2007	30 March 2007	15 December 2008	15 December 2008
UK	30 March 2007	26 February 2009	8 June 2009	7 August 2009
EU	30 March 2007	-	23 December 2010	-

* Ratification means the deposit of the instrument of ratification with the Secretary-General of the United Nations

- **Ireland** signed, subject to ratification, the UNCRPD on its opening for signature on 30 March 2007. According to Ireland it is the Government of Ireland's intention to ratify the UNCRPD as quickly as possible, taking into account the need to ensure that all necessary requirements under the Convention are being met. There will be no undue delay in the State's ratification of it. However, Ireland does not become party to treaties until it is first in a position to comply with the obligations imposed by the treaty in question, including by amending domestic law as necessary. Work is ongoing on identifying and taking necessary measures to overcome all barriers to ratification. The National Disability Strategy (NDS) of Ireland in many respects comprehends many of the provisions of the UNCRPD. A high-level Interdepartmental Committee advises on and monitors legislative, policy and administrative actions required to enable the State to ratify the UNCRPD. This Committee has developed a Work Programme to (i) address any elements of the National Disability Strategy that require alignment with the Convention and (ii) address any matters that fall outside the NDS which are required to enable Ireland to ratify. This programme is being progressed across the relevant Government Departments. At the Committee's request, the National Disability Authority, the lead statutory agency for the sector, has independently assessed the remaining requirements for ratification so as to ensure conclusively that all such issues will be addressed. The Committee will also closely examine the Optional Protocol to the Convention in consultation with the Department of Foreign Affairs and the Office of the Attorney General (the Government's legal advisers). The Optional Protocol will be addressed by the Government at the time of ratification of the Convention.

- According to **the Netherlands** two laws are necessary for the ratification of the Convention: the Approval Act and Introductory Act. The Introductory Act contains all changes necessary in Dutch laws to implement the Convention. To comply with the UNCRPD, two Acts are adjusted: Equal treatment act on ground disability and chronic illness (elaboration with the area goods and services) and the Act on voting (assistance of people with disabilities in the voting process). Civil society is actively involved in these legal analyses and in the drafting of the Approval and Introductory Act. The proposals for the Approval and Introductory Act have been submitted to the Parliament. We expect a second round of questions of Parliament soon. These questions will be answered before Summer. Plenary treatment of the Acts in Parliament is foreseen in September 2015. The ratification process will be concluded when both Chambers of Parliament have consented to the proposals for legislation. This is expected by the end of this year. Meanwhile we are working on our plan of action for the implementation of the Convention in the Netherlands. We do that with a lot of stakeholders: organizations representing people with disabilities, people with disabilities themselves, municipalities, enterprises, employers, etc. We believe the implementation is a responsibility of society as a whole. The government facilitates and stimulates this process in society. Awareness is key element.

- According to **Finland**, the Government Bill concerning the ratification of the Convention and its Optional Protocol was submitted to the Parliament on 4 December 2014. The Parliament approved the Convention and its Optional Protocol on 3 March 2015 and the President ratified them on 10 April 2015. However, Finland has not yet deposited the ratification instrument as the Parliament required that before the deposit the national legislation must be amended to comply with Article 14 of the Convention. The required amendments concern the Act on Special Care for People with Intellectual Disabilities. The amendments are currently being drafted and the Government bill will be introduced to Parliament in September 2015.

When Finland signed the Convention in March 2007, the main part of the legislation already complies with the requirements of the Convention. However, the ratification of the Convention necessitated certain legislative amendments. In relation to the right of persons with disabilities in need of institutional or residential care to move from one municipality to another, Article 18 (Liberty of movement and nationality) and Article 19 (Living independently and being included in the community) required changes in the Municipality of Residence Act and the Social Welfare Act. The respective amendments were completed during 2010 and the relevant Acts entered into force on 1 January 2011. Furthermore, in order to ensure legal protection from all kinds of discrimination across a wide range of areas of life, the Finnish non-discrimination legislation was revised. The new legislation entered into force at the beginning of 2015.

In May 2011, a working group to prepare the measures necessitated by the ratification of the Convention and its Optional Protocol was set up. The working group was comprised of representatives of the public administration and the local and regional authorities, as well as the National Council on Disability (VANE), the Finnish Disability Forum and the Center for Human Rights of Persons with Disabilities (VIKE). The term of the working group ended at the end of 2013. The report of the working group was circulated for comments widely to different authorities and civil society actors. The Government bill submitted to the Parliament on 4 December 2014 concerning the ratification of the Convention and its Optional Protocol was drafted on the basis of the working group's report.

B. Declarations and Reservations

The majority of the Member States do not foresee any reservation as regards to the matter of application of the Convention or of the Optional Protocol. Even though the need for reservations after finalising the screening of the national legislation may arise, most countries have expressed a strong political will to ratify the entire Convention and its Optional Protocol.

Article 12 - Equal recognition before the law

Estonia has not submitted any reservations. However, an interpretative declaration was made upon ratification regarding Article 12. The Republic of Estonia interprets Article 12 of the Convention as it does not forbid restriction of a person's active legal capacity when such need arises from the person's ability to understand and direct his or her actions. In restricting the rights of persons with restricted active legal capacity the Republic of Estonia acts according to its domestic laws.

Poland also submitted an interpretative declaration concerning Article 12 of the Convention. The Republic of Poland declares that it will interpret Article 12 of the Convention in a way allowing the application of the incapacitation, in the circumstances and in the manner set forth in the domestic law, as a measure indicated in Article 12.4, when a person suffering from a mental illness, mental disability or other mental disorder is unable to control his or her conduct.

Article 15 - Freedom from torture or cruel, inhuman or degrading treatment or punishment

France has not made any reservations. However, it made a declaration on the term 'consent' in Article 15. France will interpret this term in conformity with international instruments such

as the Council of Europe Convention on Human Rights and Biomedicine and its Additional Protocol on Biomedical Research, as well as on its national legislation which is already consistent with the latter instruments.

Article 18 - Liberty of movement and nationality

The United Kingdom made reservation on Article 18 of the Convention. The United Kingdom reserves the right to apply such legislation, insofar as it relates to the entry into, stay in and departure from the United Kingdom of those who do not have the right under the law of the United Kingdom to enter and remain in the United Kingdom, as it may deem necessary from time to time.

Article 23(1)(a) and (b) - Respect for home and the family

Poland submitted a reservation concerning Article 23(1)(a) and (b) together with Article 25 of the Convention. The Republic of Poland understands that Article 23.1 (b) and Article 25 (a) shall not be interpreted in a way conferring an individual right to abortion or mandating state party to provide access thereto, unless that right is guaranteed by the national law.

Article 23.1(a) of the Convention refers to the recognition of the right of all persons with disabilities who are of marriageable age to marry and to found a family on the basis of free and full consent of the intending spouses. By virtue of Article 46 of the Convention the Republic of Poland reserves the right not to apply Article 23.1(a) of the Convention until relevant domestic legislation is amended. Until the withdrawal of the reservation a disabled person whose disability results from a mental illness or mental disability and who is of marriageable age, can not get married without the court's approval based on the statement that the health or mental condition of that person does not jeopardize the marriage, nor the health of prospective children and on condition that such a person has not been fully incapacitated. These conditions result from Article 12 § 1 of the Polish Code on Family and Guardianship (Journal of Laws of the Republic of Poland of 1964, No. 9, item 59, with subsequent amendments).

Article 24(2)(a) and (2)(b) - Education

The United Kingdom made reservation on Article 24(2)(a) and (2)(b) of the Convention. The United Kingdom reserves the right for disabled children to be educated outside their local community where more appropriate education provision is available elsewhere. Nevertheless, parents of disabled children have the same opportunity as other parents to state a preference for the school at which they wish their child to be educated.

The United Kingdom Government made a declaration stating that it is committed to continuing to develop an inclusive system where parents of disabled children have increasing access to mainstream schools and staff, which have the capacity to meet the needs of disabled children. The General Education System in the United Kingdom includes mainstream, and special schools, which the UK Government understands is allowed under the Convention.

Article 25(a) - Health

During the ratification of the Convention on 27 May 2010, the **Lithuanian Government** has made a statement regarding the Article 25(a). The Parliament of the Republic of Lithuania

stated that the concept “sexual and reproductive health” cannot be interpreted as establishing new human rights and constituting relevant international obligations for the Republic of Lithuania. In the content of this concept is not included support, promotion or advertising of disabled peoples abortions and sterilization and medical procedures which could lead to discrimination based on genetic characteristics.

The **Maltese Government** has also already made an interpretative statement regarding the phrase “sexual and reproductive health” in Article 25(a) to the effect that Malta understands that this phrase does not constitute recognition of any new international law obligation, does not create any abortion rights and cannot be interpreted to constitute support, endorsement, or promotion of abortion. Malta further understands that the use of this phrase is intended exclusively to underline the point where health services are provided, they are provided without discrimination on the basis of disability.

Poland also submitted a reservation concerning 25(a). Text is indicated above.

Article 27(1) – Work and employment

Cyprus has submitted a reservation on Article 27(1) of the Convention regarding employment to the extent that the provisions thereof are in conflict with the provisions of section 3A of the Persons with Disabilities Laws 2000-2007. Article 3A prescribes that the Law does not apply as to employment: (a) in the armed forces, to the extent that the nature of the work requires special abilities which cannot be exercised by persons with disabilities, and (b) in professional activity that, by reason of the nature or of the context in which it is carried out, a characteristic or an ability not possessed by a person with disability, constitute a substantial and determining occupational requirement, provided that the aim is legitimate and the requirement is proportionate to that aim, taking also into consideration the possibility to adopt reasonable measures.

The Slovak Republic expressed a reservation in respect of the provision of Article 27(1)(a) of the Convention in accordance with its Article 46, in the following wording: “The Slovak Republic shall apply the provisions of Article 27(1)(a) provided that implementation of prohibition of discrimination on the basis of disability when determining the conditions of recruitment, hiring and continuance of employment shall not apply to hiring of members of armed forces, armed state security services, armed corps, National Security Authority, Slovak Information Service and Fire Brigade and Rescuers.”

The United Kingdom also made reservation on Article 27 of the Convention. The United Kingdom accepts the provisions of the Convention, subject to the understanding that none of its obligations relating to equal treatment in employment and occupation, shall apply to the admission into or service in any of the naval, military or air forces of the Crown.

The EU in the Decision concerning the conclusion of the UNCRPD states that it concludes the Convention without prejudice to the right, conferred on its Member States by virtue of the Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, to exclude non-discrimination on the grounds of disability with respect to employment in the armed forces from the scope of the Directive. Therefore the Member States may, if appropriate, enter their own reservations to Article 27(1) of the Disabilities Convention to the extent that Article 3(4) of the said Council Directive

Article 29(a)(i) and (iii) - Participation in political and public life

Malta made a reservation pursuant to Article 29(a)(i) and (iii) of the Convention. While declaring its full commitment to ensure the effective and full participation of persons with disabilities in political and public life, including the right to vote by secret ballot in elections and referenda, and to stand for elections, with regard to Article 29(a)(i), Malta reserved the right to continue to apply its current electoral legislation in so far as voting procedures, facilities and materials are concerned and with regard to (a)(iii) and Malta reserved the right to continue to apply its current electoral legislation in so far as assistance to voting procedure is concerned. The above-mentioned interpretative statement and reservation were confirmed on ratification.

C. Reporting and Examination

Dates of reporting and examination		
Country	Reporting - 1 st Report submitted to UN	Examination
BE	July 2011	September 2014
BG	July 2014	-
CZ	October 2011	March/April 2015
DK	August 2011	September 2014
DE	September 2011	March/April 2015
EE	June 2014	-
IE	-	-
EL	June 2014	-
ES	July 2010	September 2011
FR	March 2012	-
HR	October 2011	March/April 2015
IT	January 2013	-
CY	August 2013	-
LT	September 2012	-
LV	April 2014	-
LU	March 2014	-
HU	October 2010	September 2012
MT	November 2014	-
NL	-	-
AT	October 2010	September 2013
PL	September 2014	-
PT	August 2012	-
RO	-	-
SI	August 2014	-
SK	June 2012	-
FI	-	-
SE	February 2011	March/April 2014
UK	November 2011	-
EU	June 2014	August 2015

2. ACTIONS UNDERTAKEN BY THE MEMBER STATES, EUROPEAN UNION AND STAKEHOLDERS TO IMPLEMENT AND MONITOR THE UNCRPD
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Belgium

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

In Belgium, focal points were established on the federal level and in the various regions and communities. The Federal Public Service Social Security is the interfederal coordinating mechanism for the national level and the level of the Regions and Communities.

2. National strategies to implement the UNCRPD

The Convention and the Optional Protocol, ratified on 2 July 2009, came into force in Belgium on 1 August 2009.

In accordance with Article 35(1) of the UNCRPD, Belgium drew up its **First State Report** for the United Nations in July 2011. On the basis of numerous contributions from governmental organisations at the federal level and at the level of the regions and communities and with inclusion of the civil society, this comprehensive report reflects the measures taken to fulfil the obligations under the UNCRPD. The report was examined by the UN Committee on the Rights of Persons with Disabilities in September 2014 and several recommendations were made. The different authorities are examining how these recommendations can be taken into account.

Both on the federal and on the regional level, governments work on a mainstreaming policy for the inclusion of persons with disabilities.

At the federal level, "Handistreaming" is the basic principle for the implementation of the UNCRPD. This means that in all policy domains, the "disability dimension" is taken into account. In order to implement this awareness-raising process at administrative and political level, in all federal government departments and agencies (Federal Public Services, Federal Public Programming Services, scientific institutions and semi-governmental institutions) "disability contact points" have been designated that assume the tasks mentioned in Article 33(1) of the UNCRPD. Moreover, all the policy units of the Ministers and Secretaries of State should designate a collaborator. This "disability policy officer" has to make sure that the "disability dimension" is taken into account when policy measures are developed and implemented. This commitment is reiterated by the new government.

A federal strategy is being launched to implement the UNCRPD at the federal level. A kick-off meeting has been organized in May 2015 by the coordination mechanism of the UNCRPD in order to involve the "disability contact points" as well as the "disability policy officers" and the Belgian civil society in the implementation of this strategy.

Flanders implements handstreaming via the Open Method of Coordination. Flanders published its strategic framework on disability 2012-2014 in December 2011.¹ The strategic and operational goals have been translated into concrete action plans in all relevant domains during 2012. Special attention has been paid to the development of a body for policy participation and advice by persons with disabilities and their representative organisations and to awareness-raising campaigns in Flanders and Brussels. The evaluation of the strategic framework will be handled via a set of indicators. A new framework of strategic and operational goals is being prepared for the period 2015-2019. This framework, complemented with concrete action plans, aims at influencing all Flemish public policies through the planification of operational actions and objectives, among others, with regard to accessibility in the public area, the realization of a more inclusive education system and strengthening the self-determination and participation of people with disabilities via measures in the welfare sector. At the same time all Flemish government entities and the government as a whole are obliged to draw up and execute a diversity and equal opportunities plan that formulates strategies, activities and target goals regarding topics like disability (access to public office, accommodations etc), cultural minorities, LGBT and gender equality.

On 14 June 2012, the *Walloon government* and the *Agence Wallonne pour l'Intégration des Personnes Handicapées* (AWIPH) signed their strategic plan for people with disabilities for the period 2012-2017. The strategic plan develops over 600 concrete actions in relation to the UNCRPD. The key Articles of the UNCRPD for this strategic plan are: Article 5 (Equality and non-discrimination), Article 8 (Awareness-raising), Article 9 (Accessibility), Article 19 (living independently and being included in the community), Article 21 (Freedom of expression and opinion and access to information), Article 27 (Work and employment) – closely linked to Article 7 (Children with disabilities) and Article 24 (Education), Article 29 (Participation in political and public life) and Article 30 (Participation in cultural life, recreation, leisure and sport). The AWIPH, in close collaboration with stakeholders, developed various projects to improve the inclusion of persons with disabilities in the society and strengthened the budgets and the services for personal assistance. All Walloon strategic and operational goals have been translated by applying the action plan 2012-2017.²

As far as the Commission for the *French Community of the Brussels-Capital Region* is concerned, the implementation of the UNCRPD has led to the drafting of a decree on the inclusion of people with disabilities. This text, the wording of which is based on the Convention, was adopted on 17 January 2014 by the Assembly of the Commission for the French Community³.

The *German-speaking Community* has recently launched its "Action Plan of the German-speaking Community for the Implementation of the UNCRPD 2014-2025 – DG Inklusiv 2025"⁴ – that will be implemented in the framework of the government's overall political strategy for the election period 2014-2019. Inclusion has become a cross-cutting issue in this

¹ Belgium, Action Plan concerning disability 2012-2014 in the framework of the application of the Open Coordination Method in the Flemish equal opportunity policy, (Actieplannen inzake het thema handicap in het kader 2012-2014 van de toepassing van de opencoördinatiemethode in het vlaamse gelijkkansbeleid) available at <http://www.vlaanderen.be/nl/publicaties/detail/actieplannen-inzake-het-thema-handicap-2012-2014-2>

² http://www.awiph.be/pdf/AWIPH/comment_fonctionne_1_AWIPH/Contrat_de_gestion_AWIPH_2012-2017-ACCOK.pdf

³ http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2014011723&table_name=loi

⁴ Belgium, Action plan of the German-speaking Community (DG Inklusiv 2025 - Aktionsplan der Deutschsprachigen Gemeinschaft zur Umsetzung der UN-Konvention über die Rechte von Menschen mit Behinderungen 2014-2025)

overall political strategy, influencing all fields of responsibility and being implemented under the responsibility of all government members, both in the frame of the initiatives intended for all people as well as through disability specific initiatives. A steering committee has been appointed and people with disabilities have actively taken part in the elaboration of this action plan. The priority axis of this action plan DG Inklusiv 2025 is the promotion of empowerment, inclusion, participation, accessibility, equal opportunities in all aspects of daily life.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

The independent mechanism to promote, protect and monitor the implementation of the Convention, designated by the Belgian authorities, is the Interfederal Centre for Equal Opportunities and Opposition to Racism and Discrimination. This designation is part of a broader cooperation agreement between the Federal government and the governments of the Regions and the Communities of 12 June 2013. This cooperation agreement has been submitted to a vote in each of the parliaments, and has been published in the Belgian Official Gazette on 15 March 2014.

From July 2011 to March 2014, the predecessor of the Interfederal Centre, called the Centre for Equal Opportunities and Opposition to Racism, was designated as the independent monitoring mechanism through one-to-one agreements between the authorities at the federal, regional and community level on the one hand and the Centre on the other hand. The Centre was recognized as a NHRI with a B-status.

The Interfederal Centre is acting as an Equality Body, competent for all discrimination grounds except for gender, gender identity and gender expression (those grounds fall under the competence of the Institute for Equality between Women and Men and the Flemish Ombudsman Service (for Flemish policies)) and language. In the cooperation agreement, mention is explicitly made of the Paris Principles on independence and effectiveness of National Human Rights Institutions. The Centre has the legal competency to handle individual complaints and to start legal proceedings. It also has the legal mission to issue recommendations to the authorities to improve the regulations and policies, and to publish independent reports.

The Interfederal Centre has created the Unit Disability/UN Convention, a permanent expertise and administrative cell composed of seven persons, amongst whom a head of unit, to promote, protect and monitor the implementation of the UNCRPD. It works in close cooperation with the other branches of the Centre and is in permanent contact with public authorities, national institutions, DPOs, NGOs, independent mechanisms abroad and international organisations. On the other hand, the Disability Commission is a non-permanent body composed of 23 members chosen by their knowledge, experience and interest in the disability sector, among which a President is elected by his/her peers. Members emanate from: DPOs (10), universities (6) and social partners (7). The Disability Commission approves the annual and triennial strategic plans of the independent mechanism and follows its daily activities.

2. The involvement of civil society in the monitoring process - Article 33(3)

At national level the Belgian Disability Forum (BDF) and the national higher Council of disabled persons (NHC) monitor the work on the implementation of the Convention. The BDF expressed opinions during the implementation of the ratification process and will follow the application of the Convention.

The BDF is a non-profit organization comprising 18 associations of disabled persons. It aims to inform its members regarding the repercussions of supranational regulation on the rights of disabled persons. It also endeavors to make the political, economic and social Belgian actors aware of the need to incorporate the needs of disabled persons into their discussion and decision process. The BDF is the official representative of Belgium within the European Disability Forum.

The NHC is in charge of examining all the problems relating to disabled persons, falling within the federal competence. The Council is entitled, through its own initiative or at the request of the relevant Ministers, to deliver opinions or to make proposals on these subjects, *inter alia* for rationalisation and of the coordination of the legal and regulatory provisions. The Council is composed of 20 members, specially qualified through their participation in activities of organizations of persons with disabilities or through social or scientific activities.

In consultation with the bureaus of the National Higher Council of disabled persons and the Belgian Disability Forum (BDF), it was decided that:

- the Federal Public Service (FPS) Social Security shall involve civil society mainly through both aforementioned organizations (NHC and BDF); in accordance with these agreements, the bureau of the NHC, the bureau of the BDF and the FPS Social Security regularly organize consultation meetings
- in addition to the consultation of the NHC and the BDF, the federal disability contact points shall involve the appropriate representatives of civil society, each with regard to their respective competences.

At regional and community level people with disabilities and the organizations/associations representing them are members of the management Board of the Office of the German-speaking Community for People with Disabilities. They are therefore directly involved in important decision-making processes during the formation of the policymaking for the disabled in the German-speaking Community. Many people with disabilities are actively involved in DPO's and through this channel in the Forum of DPO's (*Forum der Vereinigungen und Verbände von und für Menschen mit Behinderung*). The latter is involved in the implementation of the UN Convention on the Rights of Persons with Disabilities. The Forum has been involved when drafting the first report on the implementation of the UNCRPD and in the drafting of the action plan. In the framework of the preparation of the action plan, the DPO's worked together with the DPB in the training measure "DG Inklusiv", raising awareness among decision makers and citizens on people with disabilities and reasonable accommodation.

There is also an annual plenary meeting between the management Board of the DPB and the Forum of DPO's. The aim is to discuss common concerns and questions and work out joint responses to outstanding issues. In order to better include the DPO in the decision-making process and to enhance its autonomy, the Forum's officialization through a legal act is subject to discussion.

In the Flemish community in Flanders and Brussels, there is at the moment no board or council representing people with disabilities. But the Flemish Authority (team Equal Opportunities) actively consults civil society when setting their policy targets via the open method of coordination. Representative organizations are not only involved when elaborating the transversal equal opportunities policy. Even at the level of the different departments and policy fields structures are created to guarantee the participation of people with disabilities in the policy preparation and execution (for e.g. the working group ‘Integrale Jeugdhulp’, the advisory committee at the Flemish Agency for Disabled Persons (VAPH), Flemish Platform for organizations of persons with disabilities in the commission on diversity at SERV (the Social and Economic Council of Flanders, etc.). Furthermore, ad hoc consultations are organized when deemed necessary (for e.g. with regard the development of a set of indicators for monitoring the UNCRPD). In line with the Government Agreement of May 2014, a representative advisory board of (organisations of) people with disabilities will be established.

For the territory of the Walloon Region, a Walloon Advisory Board for Persons with Disabilities was created. This council aims to ensure the participation of persons with disabilities and their associations in the development of the measures which concern them. To this end, the council:

- represents all the associations representative of persons and can ensure coordination of them;
- Gives to the Walloon regional Council and to the Government, upon their request or own initiative, opinions on the guidelines of the policy for persons with disabilities, and on the practical methods of its implementation;
- delivers its opinion on the operation of the Agency and the way in which it carries out the missions which are entrusted to it

In Wallonia, pursuant to Article 120(a) of the new communal law, it is possible for the communes of to establish an Advisory Board of disabled persons. These aim to:

- Incorporate the needs of disabled persons into local authorities' urban and communal policies.
- Strengthen or establish regular co-operation and dialogue mechanisms enabling disabled persons, by the channel of their representative organizations, to contribute to planning, implementation, follow-up and the evaluation of each action of the political and social field aiming at equality and inclusion.
- All reception and accommodation services approved by the AWIPH are required to create a "Council of the users" representing those and, if necessary, their legal representatives, comprising at least three members including an elected President at its centre. Its members can under no circumstances form part of the organizing service power.

Since February 2011, due to his first “Equal Chances Plan”, an “Equal Chances public agent” will be designated in all communes and cities of Wallonia.

As far as the Commission for the French Community of the Brussels-Capital Region is concerned, civil society is represented through the Section « Persons with Disabilities » of the Brussels French-speaking Advisory Council for the help to persons and health, composed of experts, representatives of associations, representatives of the trade unions and representatives of employers.

3. Collecting statistics and/or developing indicators - Article 31

Since there is no single definition of 'disability' in Belgium, certain persons with disabilities may not be recorded by various data collection mechanisms, and due to the structure of the Belgian State and of legislation on the protection of privacy, it is not possible to globalize the various statistics. On the federal level, there are mainly statistics on the benefits and on medical certificates allowing for granting benefits as well as various social and tax advantages⁵.

In the Walloon Region, the indicators currently used are those relating to the management Contract of the Walloon Agency for the Integration of Persons with Disabilities. Indeed, certain main principles of this contract relate to a number of Articles of the Convention.

In Flanders, a set of indicators is being drawn up to measure the progress made within the framework of the Open Method of Coordination and in relation to implementation of the UNCRPD. In the meantime several statistics regarding the position of people with disabilities have been published in recent years⁶.

As far as the Commission for the French Community of the Brussels-Capital Region is concerned, a new data base of the individual records of persons with disabilities has been set up. It provides for the possibility of consulting statistical elements.

In the German-speaking community, statistical data concerning people with disabilities and the specialised measures and services they can make use of, are included in the annual report of the DPB and are available on its website www.dpb.be.

⁵ Information is also available :

- in Dutch and in English on the project Handilab (Belgian University KUL, 09-2012) on the effectiveness of the income replacement allowances and integration allowances and on the poverty rate of persons with disabilities at http://www.kuleuven.be/lucas/pub/publi_upload/2012_eindrapport%20HANDILAB%20LUCAS%20effectiviteit%20IVT%20IT_def.pdf (Dutch)

http://www.belspo.be/belspo/organisation/Publ/pub_ostc/agora/ragkk154samenv_en.pdf
(English)

- on the coverage of social protection programmes by persons with disabilities at

<https://www.bcass.fgov.be/samigc/homePage.xhtml> and on

<http://ec.europa.eu/eurostat/web/health/disability/data/database>

- on rates of poverty among persons with disabilities at

<http://ec.europa.eu/eurostat/web/health/disability/data/database>

- on additional costs or expenses related to disability at

<http://socialsecurity.fgov.be/docs/fr/publicaties/btsz/2013/btsz-1-2013-vermeulen-hermans-fr.pdf>

<http://www.centrumvoorsociaalbeleid.be/sites/default/files/doctoraat%20Berenice%20Storms.pdf>.

⁶ <http://www4.vlaanderen.be/sites/svr/publicaties/Publicaties/vrind/2014-11-20-vrind2014-volledig-bldw.pdf>;

<http://www4.vlaanderen.be/dar/svr/afbeeldingennieuwtjes/welzijn/bijlagen/2014-02-25-svrwebartikel2014-1-handicap.pdf>

http://www.werk.be/sites/default/files/handicaparbeid_beleid_update_maart2015.pdf

Bulgaria

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

The focal point is the Integration of People with Disabilities Department, in the Ministry of Labour and Social Policy.

Bulgaria is currently in the process of establishing a coordination mechanism foreseen in Article 33(1) of the UN Convention. An experts group on the coordination of the Action Plan which includes focal points from different authorities and representative organizations is established. Representatives of the NGOs of and for people with disabilities which are members of the National Council for Integration of People with Disabilities are involved in that discussion and also in the same process of establishment of the coordination mechanism. There is a draft of amendment of legislation in relation to the establishment of the coordination mechanism foreseen in 33(1) of the UNCRPD.

2. National strategies to implement the UNCRPD

At the beginning of 2011, an expert group was set up with the task to prepare a comprehensive plan for preparing Bulgaria for implementation of the UNCRPD. Representatives of the national representative NGOs of and for people with disabilities take part of the mentioned expert group. The outcome of that expert group was presented to the National Council for Integration of People with Disabilities and it was taken into account for ratification of the UNCRPD.

In 2012, following ratification, the Ministry of Labour and Social Policy prepared a biannual action plan for the implementation of the UN Convention by the expert group draft. On 19 October 2012 the Council of Ministers adopted the biannual action plan including measures for the implementation of UNCRPD in Bulgaria.

The Bulgarian government is carrying out a consistent policy for the protection of the rights of people with disabilities and their full participation in society step by step. In parallel with the process of ratification of the UN Convention on the Rights of Persons with Disabilities, the Ministry of Labour and Social Policy has developed a two-year action plan for implementation of the Convention, which contains measures to align its provisions with the Bulgarian legislation and policies in this area (the Action Plan for Implementation of the Convention). The plan was drawn up with the participation of all interested parties, including representatives of organizations of and for persons with disabilities and the social partners. It was reviewed and approved by the National Council for the Integration of People with Disabilities, which is a consultative body aimed at implementing cooperation with the civil society in this area.

The Action Plan outlines the specific steps, clearly defines the roles and functions of the various government authorities and interested parties. It contains 10 strategic and operational objectives, the activities for their implementation are identified, the deadlines for implementation, the expected results, the indicators and responsible institutions.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/protecting/ monitoring - Article 33(2)

During the work of the expert group preparing the comprehensive plan for Bulgaria's implementation of the UNCRPD, the issues of a framework for promoting/protecting/ monitoring CRPD, which is the main goal in the Action plan, was discussed. To coordinate the implementation of the Action Plan for implementation of the Convention, as early as February 2013 a group of experts was established (hereinafter referred to as "Coordination Group") with representatives who are contact points at all responsible state authorities. It operates for the duration of the Action Plan for Implementation of the Convention and aims to develop a coordination and monitoring mechanism, a proposal for the responsible authorities under Article 33 of the UN Convention.

2. The involvement of civil society in the monitoring process - Article 33(3)

The National Council of Integration of People with Disabilities has been set up with the Council of Ministers. The National Council was established when the new Integration of People with Disabilities Act was adopted and came into force 1 January 2005. The National Council is functioning according to the Regulation of Procedure of the National Council for the Integration of People with Disabilities and the criteria for representation of organizations of people with disabilities and organizations for people with disabilities, adopted by the Council of Ministers, in Ordinance No 346 from 17 December 2004. The mentioned Regulation lays down the criteria for representation of the organizations of and for people with disabilities which are members of the National Council. In accordance with the Integration of People with Disabilities Act, it is responsible for the cooperation in the policy development and conduct in the field of disability. It is an advisory body which includes representatives of the state, named by the Council of Ministers, representative organizations of and for people with disabilities, representative organizations of workers and employees, representative organizations of employers and the National Association of Municipalities.

Representatives of NGOs of and for people with disabilities are members of the National Council for Integration of People with Disabilities, which gives a preliminary stand before the statutory instruments for people with disabilities are adopted according to the current normative framework.

Currently 19 NGOs of and for people with disabilities in Bulgaria are members of that National Council. Members of the National Council which represent children and adults with disabilities are also involved in drafting the national strategy, action plans, pieces of legislation, expert group for preparing Bulgaria for the implementation of the UNCRPD. The NGOs were consulted during the process of drafting the biannual action plan for the implementation of the UN Convention.

There is a National strategy for ensuring equal opportunities for people with disabilities and a biannual action plan for implementation of the strategy. The Bulgarian Government is confident of the great importance of implementation of UNCRPD and it always expresses its willingness to discuss with civil society the problems related to the ratification and the implementation of the UNCRPD in the framework of the National Council for Integration of

People with Disabilities. In 2012 the Bulgarian disability strategy was updated to be brought in line with the European Union Disability Strategy and the UNCRPD.

3. Collecting statistics and/or developing indicators - Article 31

During the work of the expert group responsible for preparing the comprehensive plan for Bulgaria's implementation of the UNCRPD, the issue of developing indicators was discussed.

According to Article 31(1) of the UNCRPD and Article 9 of the Integration of People with Disabilities Act, the Agency for people with disabilities is implementing the project in order to create a common system for the management of the whole process of realization of disability policy in Bulgaria. The main goal of this project is to set up a National register for people with disabilities which will include personal information and data about other circumstances related to their social and economic status in order to better plan disability-related measures and improve their life.

Czech Republic

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

In the Czech Republic, the Convention has entered into force on 12 February 2010, so the relevant bodies have started working. The Ministry of Labour and Social Affairs was appointed as the national focal point for the issues relating to the implementation of the Convention.

2. National strategies to implement the UNCRPD

A National Plan for Promoting Equal Opportunities for Persons with Disabilities 2010–2014 was approved by Resolution of the Government of the Czech Republic No 253 of 29 March 2010. The basic format of the Plan, its content and structure, draw on the general principles on which the Convention is based. In the development of the document, only those Articles of the Convention which were most important and relevant for the next five years in terms of promoting an equal and non-discriminatory environment for persons with disabilities were selected.

The National Plan was divided into separate chapters corresponding to the individual Articles of the Convention. Each chapter contained a quotation of the relevant Article of the Convention, brief explanation of the field in question, the desirable target situation to be achieved, and clearly formulated measures specifying the competent department and the proposed deadline for fulfilment.

In June 2014, the Government Board for People with Disabilities established a working group for drafting a new National Plan on Promoting Equal Opportunities for Persons with Disabilities 2015 – 2020. The new National Plan was approved by Resolution of the Government of the Czech Republic No 385 of 25 May 2015.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/protecting/ monitoring - Article 33(2)

In the Czech Republic, the Ministry of Labour and Social Affairs is the focal point as it is responsible for its implementation pursuant to legal regulations. Based on the current practice and experience of other State Parties to the Convention, the establishment of another focal point is not considered at present.

The working group to draft a monitoring mechanism in the Czech Republic was set up in the second half of 2011. The working group consisted of representatives of the MOLSA, the Secretariat of the Government Board for People with Disabilities and the Czech National Disability Council. It was later expanded to include representatives of the League of Human Rights and people representing the "basic" kinds of disabilities (parents of children with disabilities, persons with visual impairment, persons with physical disabilities, persons with hearing impairment, people with mental illness, people with intellectual disabilities, persons with chronic illnesses) in March 2013.

The working group has met usually once per month, trying to find consensus on the composition, scope of powers and method of establishing a monitoring mechanism. The result was a clear demand to lay down an independent monitoring mechanism by the law in accordance with the Paris Principles. The institution which meets the most requirements of the Paris Principles in the legal framework of the Czech Republic is the Ombudsman.

An amendment to the Act on the Ombudsman which assigns this new responsibility to the Ombudsman was submitted to inter-departmental comments procedure in July 2014. According to the bill, the Ombudsman shall establish an advisory board for monitoring the Convention composed of persons with disabilities and those defending their interests. For the purpose of monitoring the Convention, the Ombudsman shall systematically deal with the rights of persons with disabilities under the Convention and propose measures to protect them, conduct research, publish reports and make recommendations on issues relating to the fulfilment of the rights of persons with disabilities, contribute to raising awareness of the public regarding the rights of persons with disabilities and ensure exchange of available information with the relevant foreign and international bodies. However, the proposal was finally not approved by the government.

2. The involvement of civil society in the monitoring process - Article 33(3)

The involvement of civil society is guaranteed by the Government Board for People with Disabilities and other formal and informal mechanisms of cooperation, e.g. with the Czech National Disability Council. The Government Board for People with Disabilities was established by the resolution of the Czech Government (1991) as its advisory body for the issues of disability. The Board cooperates with the public administration authorities as well as with the non-governmental sphere. It consists of Government representatives and ministries, as well as representatives of associations of persons with disabilities and their employers.

Organisations representing persons with disabilities play an important role, not to say the most important, in the policy planning and decision-making process concerning disability issues. One of them is for example the Czech National Disability Council, an umbrella organisation which associates about 114 organisations of persons with disabilities. The Council has its representatives in the Government Board for People with Disabilities.

Also other representative organisations are invited to take active part in the policy planning, for example through participation in working groups established to deal with any disability-related issues (preparation of new legislation, proposals for amendments of the existing legislation, creation of disability policy plans and concepts etc.).

At local level, municipalities are supposed to take into account the views and opinions of persons with disabilities and their representative organisations when planning disability policy measures (in the field of social services, accessibility etc.). Most municipalities welcome the possibility of discussing the key issues with the organisations and individuals through public hearings, debates, surveys etc.

As far as awareness-raising activities are concerned, several conferences, debates, workshops, seminars etc. are organised in order to mainstream disability issues and to foster active participation of persons with disabilities in public life.

3. Collecting statistics and/or developing indicators - Article 31

There are several resources of statistical data, e.g. in 2007, the Czech Statistical Office was given a task to propose a system of statistical information collection related to persons with disabilities and their needs. The results of its work and first comprehensive report on the situation of persons with disabilities with statistical data were published in 2008. In 2012 the Czech Statistical Office began preparations for a new data collection, which run in 2013. The report with statistical data was published in April 2014.

Denmark

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

The Ministry of Children, Gender Equality, Integration and Social Affairs is appointed as the national focal point for issues related to implementing the Convention. The reason for the appointment is that the Ministry of Children, Gender Equality, Integration and Social Affairs is the coordinating ministry for disability matters. The appointment was made by parliamentary decision B 194, which adopted the ratification of the convention. As the coordinating ministry for disability matters, the Ministry exercises its function as the national focal point in close contact and coordination with the other parts of the government and organisations in the disability area.

The Ministry of Children, Gender Equality, Integration and Social Affairs heads the Ministries' Disability Committee (previously the Inter-ministerial Committee of Civil Servants on Disability Matters) is to help create a coherent disability policy effort in line with government goals and visions, including the coherence of government initiatives. The Committee is also acting as a forum for dealing with cross-cutting challenges, network building and knowledge sharing on current disability policy issues, including the continued implementation of the UN Convention on Rights for Persons with Disabilities. Finally, the Committee provides a forum for dialogue with stakeholders and actors in civil society around the current disability policy issues.

The Committee's tasks are:

- To support a coherent disability policy which is based on sector responsibility, but which also supports the coordination, coherence and cooperation between sectors.
- To follow the implementation of the Government's recently launched action plan for the disability area.
- To facilitate cross-cutting interventions in different sectors and at different levels of implementation of the UN Convention (cf. art. 33.1) in the central administration.
- To share knowledge on specific tasks in order to create a joint management of cross-cutting issues, including non-discrimination.
- To cooperate with stakeholders and civil society concerning disability policy initiatives.
- To create contacts across ministries to help solve tasks for the government on disability matters.

2. National strategies to implement the UNCRPD

Since Denmark's ratification of the UN Convention in 2009, the UNCRPD has set the framework for goals and specific initiatives in the disability field, including the progressive realization of economic, social and cultural rights.

The Danish Government's long-term and multi-disciplinary action plan for the disability area 'One society for all' includes a number of long-term visions and goals for the development of Danish disability policies as well as a number of short-term initiatives. The Plan will contribute to setting up political and economic priorities for disability-policy initiatives across

policy areas, and it will function as a framework for the continued work of implementing the UN Convention.

The action plan focusses on six topics, which each in their own way supports the vision of a more inclusive and equal society: 1) Citizenship and Participation, 2) Education, 3) Employment, 4) Consistency and quality and 5) Innovative solutions, new technology and increased availability 6) More knowledge and better effect,. The action plan contains almost 50 initiatives across the mentioned themes.

The respective initiatives are rooted in different ministries and the timespan of the initiatives varies greatly. A few of them have already been completed, but for the most part they have been started up during the first months of 2014. Both the progress of the concrete initiatives and the continued focus on the long-term visions and goals will be monitored by a committee of representatives from all the Danish ministries, meeting 2-3 times a year to discuss cross-sectorial topics on the disability agenda.

The action plan is based on the principle of “Nothing about us without us.” To ensure involvement of organizations representing people with disabilities, the government hosted a series of dialogue meetings with relevant parties, for example Disabled Peoples Organizations Denmark, the Danish Institute for Human Rights and the Danish Disability Council. The dialogue meetings were each dedicated to specific themes in the action plan.

Furthermore, during the planning process there has been an ongoing dialogue with relevant NGO’s on both a formal and a more informal level. The NGO’s also have an important part to play in the implementation of a large number of the concrete initiatives presented in the action plan.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

Parliamentary decision B 15 of 2010 established "The Danish Institute for Human Rights" as the independent mechanism for the promotion, protection and monitoring of the implementation of the UNCRPD. The Danish Institute for Human Rights carries out its mandate in accordance with the principles relating to the status and functioning of national institutions for protection and promotion of human rights (Paris Principles). The Danish Government presented legislation in 2012 which turned the Danish Institute for Human Rights (which is currently part of the Danish Center for International Studies and Human Rights) into an independent institution in order to strengthen and clarify the Institute’s position as Denmark’s National Human Rights Institution. The legislation contained changes in the composition of the board of the Institute, i.a. in order to ensure that one of the board members is appointed upon nomination of the Disabled Peoples Organisations Denmark. In this way the Government of Denmark intends to ensure the involvement and participation of representatives of disabled people in the monitoring process according to Article 33(2) of the UNCRPD.

The Danish Disability Council is a Government-funded body made up of representatives of people with disabilities, nominated by the Danish Council of Organisations of Disabled People, and from the labour market parties as well as representatives from relevant fields of research. The task of the Council is to monitor the situation of people with disabilities in

society and to act as an advisory body to the Government and Parliament on issues relating to disability policy.

2. The involvement of civil society in the monitoring process - Article 33(3)

Civil society, specifically organisations of people with disability, are being actively involved in the monitoring process in accordance with the relevant provisions of the UNCRPD. The organisations of persons with disability are being closely consulted in the work of the Danish Institute for Human Rights.

The umbrella organisation Danish Council of Organisations of People with Disabilities (*Danske Handicaporganisationer*) is consulted on a regular basis on relevant matters and during all stages of the policy-making process e.g regarding the action plan mentioned above. The Danish Council of Organisations of People with Disabilities is also strongly represented in the Danish Disability Council

In every municipality there is a local council representing the interests of people with disabilities. This council is consulted in all local policy matters concerning people with disabilities.

3. Collecting statistics and/or developing indicators - Article 31

Denmark uses the UN Standard Rules on equal opportunities and treatment of people with disabilities, in which the concept of "disability" covers loss or impairment of a person's ability to participate fully and effectively in society on an equal basis with others. The definition is intended to focus on the obstacles in surroundings that prevent persons with disabilities from participating on an equal basis with others. As the concept of disability is environment-related, it cannot be defined more unambiguously and there is no single definition of disability.

Furthermore as a result of the principle of sector accountability, the individual sector ministry is responsible for collecting data in the individual area. No common norm exists for data processing of specific statistics in the disability area, and no permanent norms exist in terms of highlighting the disability aspect in relation to statistics on the individual sectors.

Statistics Denmark has established a documentation project to collect information about municipal activities and their effects. The project is monitored by a steering committee and a working group that include Local Government Denmark (KL), Danish Regions and the Ministry of Finance.

The system collects basis information that can be used for status updates once a year. The project will register each individual that receives a range of services, treatments and benefits. This information will be used only for analytic purposes and each individual will be anonymized.

The new individual based statistics makes it possible to do research and statistics on developments on health, family and welfare for disabled people. The correlating of disabled individuals with numerous areas in Statistics Denmark can facilitate evidence-based decision making to advance the lives of people with disabilities. Furthermore this project can improve the base for local leadership and benchmarks because all data will be available to the government of local municipalities in Denmark.

The first limited data is expected to be published by the end of 2014 and the project will be fully implemented during 2015.

Germany

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

Germany highlights the importance of national implementation and monitoring structures as a precondition for an effective implementation. Due to the federal structure of Germany, an important part of the implementation of the Convention lies with the German Länder.

The Federal Ministry for Labour and Social Affairs (www.bmas.bund.de) is appointed focal point according to Article 33. Some of the Länder have appointed focal points on their level as well. Others work with a comparable structure.

The Federal Government Commissioner for Matters relating to Persons with Disabilities (www.behindertenbeauftragter.de) is appointed Coordination Mechanism according to Article 33. In September 2010, the Commissioner has appointed in close cooperation with the German Disability Council (www.deutscher-behindertenrat.de) an advisory board called “Inclusion Committee”, in order to ensure a long-term and strategic consultation process with civil society, particularly with organisations of and for persons with disabilities in the implementation process of the Convention. For this reason, the Committee consists mainly of people with different disabilities. In addition, the Committee installs four thematic working groups to integrate the broader civil society in the process and enable the development of technical input to specific themes and topics.

2. National strategies to implement the UNCRPD

The UN Convention is the international equivalent to the change of paradigms, which was initiated in Germany especially by the Ninth Book of the Social Code and the Equality Act for Persons with Disabilities. The Federal Government will use the UN Convention to strengthen and promote new developments in disability policy in order to further advance a self-determined and discrimination-free participation in Germany.

In the Coalition Agreement of the Federal Government for the 17th legislative period it was agreed to draw up a National Action Plan (NAP) to implement the UN Convention. This Plan, adopted by the Federal Government on 15 June 2011, draws up a long-term overall strategy for the implementation of the Convention. It is a package of measures rather than a legislative package and is, in particular, aimed at closing existing gaps between the legal situation and the practice. More than 200 plans, projects and activities show that inclusion is a process that covers all areas of life.

The federal government’s action plan is supplemented by other action plans of the federal states, municipalities, rehabilitation providers, disability and social organisations as well as providers of services for persons with disabilities and private sector companies. Most of the Länder have developed or still are developing own action plans. Also cities and enterprises and institutions like the German Social Accident Insurance have brought on action plans.

The voice of the civil society, especially of organisations of and for persons with disabilities, has been and is streamlined in a special advisory board. The closest cooperation with persons

with disabilities and their organisations is not only postulated by the UN Convention. It is also of tremendous importance for the Federal Ministry and the Federal Commissioner.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

The Federal Government's Cabinet decision of 1 October 2008 initiating the legislative procedure for ratifying the Convention and the Optional Protocol entrusted the Deutsche Institut für Menschenrechte e.V. (German Institute for Human Rights) with the monitoring task under Article 33(2) UNCRPD.

The Institute is an independent body operating on the basis of the United Nations Paris Principles, to which Article 33(2) refers. It is financed by the Federal Ministry of Justice, the Foreign Ministry and the Federal Ministry of Economic Cooperation and Development and its independence is guaranteed via its legal form and the Articles of association. It started work in 2001 and was recognised internationally as the national human rights institution with an A-status in 2003. To comply with the monitoring task under UNCRPD, a separate department within the Institute for the tasks under Article 33(2) has been set up. The Federal Ministry for Labour and Social Affairs provides some EUR 443,000 a year to support the independent monitoring body.

The Monitoring Body has six staff members – besides the head, the body is comprised of two research and policy professionals (one law, one social science), one assistant, one public relations and communications and one for administrative matters. The existing budget of the National Monitoring Body provides additional resources to organise conferences, to cover travel costs and conferences fees, and to commission research to some minor extend.

The German Institute started to set up the National Monitoring Body in May 2009, which is under full operation since November the same year. Since then, it has developed a great number of activities, e.g. it holds regular consultations with civil society organisations, has started a publication series with elements in easy to read, delivered a number of public statements to a wider range of topic, participated in parliamentary hearings, and media activities.

In order to intensify the monitoring activities regarding the Länder level, the Monitoring Body started a number of projects for which some Länder Government provide additional resources.

For up-to-date information on the work of and events organised by the Mechanism see its website <http://www.institut-fuer-menschenrechte.de/en/monitoring-body.html> (also in English)

2. The involvement of civil society in the monitoring process - Article 33(3)

All **three pillars** involve civil society in the implementation and/or monitoring process:

1) Federal Ministry of Labour and Social Affairs as focal point

Civil society was consulted during the ratification process, for the implementation of the Convention by means of a national action plan these consultations were continued with

several workshops, bi- and multilateral meetings and via the online-portal www.einfach-teilhaben.de. and a special advisory board with civil society representatives. Members of the special advisory board are representatives from disability organizations, social partners, charity organizations, the Federal Government Commissioner for Matters relating to Persons with Disabilities and a representative of an academic institution.

As mentioned above, the closest cooperation with persons with disabilities and their organisations is not only postulated by the UNCRPD. It is also of tremendous importance for the Federal Ministry and the Federal Commissioner.

Furthermore and with a view to implementing the UNCRPD, the Federal Ministry of Labour and Social Affairs takes – among others - the following measures to inform the public about the Convention:

- broad public awareness campaign to implement the UNCRPD;
- regular lectures for civil society and other institutions;
- translation of the convention into accessible formats (easy-to-read language and sign language) and distribution of all versions via brochures, dvd and/or the internet;
- Handbook for persons with disabilities: the handbook is the Ministry's most important publication in the area of disability policy. The new version will include the text of the Convention and provide information on it;
- Online portal www.einfach-teilhaben.de, which gathers information for persons with disabilities, their families, enterprises and administration.

2) Federal Government Commissioner for Matters relating to Persons with Disabilities as coordinating mechanism

In order to ensure a long-term and strategic consultation process with civil society, particularly with organisations of and for persons with disabilities, the Commissioner established a council. One of the main tasks of the council is to advise the federal government in questions related to the national action plan to implement the UNCRPD. In addition, the Commissioner established a consultative committee with members only from organisations of and for persons with disabilities. The Commissioner also launched a website that includes participatory elements of web 2.0 in order to ensure the participation of individuals. In addition, the coordinating mechanism informs the public in expert meetings and campaigns on all relevant aspects of the implementation of the Convention.

3) Monitoring Body at the German Institute for Human Rights:

The National Monitoring Body has underlined in public statements that monitoring the implementation is a task involving a number of non-state actors besides the National Monitoring Body, such as the UN Committee on the Rights of Persons with Disabilities at the international level and civil society, in particular persons with disabilities and their representative organisations within Germany. Consequently, the collaboration of these actors is of great importance. Thus, the German civil society organisations have the standing invitation to participate in the regular consultations with the National Monitoring Body. These meetings take place twice or three times a year. Although the National Monitoring Body does neither have the mandate nor the resources to handle complaints, it is open to receive individual communications and to learn from them, since individual cases might indicate deficits in structural terms.

3. Collecting statistics and/or developing indicators - Article 31

Statistics on the population, labour market and housing situation in Germany are collected by the Federal Statistics Office and the Regional Statistical Offices under the *Mikrozensusgesetz* (Micro-Census Act). The micro-census is a multiple random sample survey which provides detailed information on the economic and social situation of the population and answers questions about employment, the labour market and training.

On the basis of §131 SGB IX a statistical survey of persons with severe disabilities, which started as early as 1979, is carried out every two years.

In addition to the evaluation of existing data, part of the action plan will be the establishment of a better data basis on the situation of persons with disabilities in Germany. A pre-study with suggestions for a respective roadmap was presented in February 2011. The work on the report is finished (published in 2013).

Estonia

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

After ratification of the UNCRPD on 30 May 2012, the Ministry of Social Affairs became the focal point of the Convention. No other ministries are designated as focal points of the UNCRPD. The Ministry of Social Affairs (especially Social Welfare Department) is also the coordination mechanism of the Convention. It is the main coordinator for the implementation of the UNCRPD and cooperates with other ministries and the Estonian Chamber of Disabled People⁷. Every ministry is responsible for the implementation of the UNCRPD according to the scope of its responsibilities in order to mainstream disability issues and foster implementation in different sectors and levels.

2. National strategies to implement the UNCRPD

After ratification of the UNCRPD, a Development Plan on Social Protection, Inclusion and Equal Opportunities 2016-2023, that will also incorporate the protection of the rights of persons with disabilities will be elaborated by the end of 2015.

Disability policy of Estonia is based on four main documents: the UN Standard Rules on the Equalisation of Opportunities for Persons with Disabilities (abridged and adjusted version of the UN General Assembly Resolution 48/96); the Recommendation of the Committee of Ministers to Member States on the Council of Europe Action Plan to promote the rights and full participation of people with disabilities in society (improving the quality of life of people with disabilities in Europe 2006-2015); the European Disability Strategy 2010-2020 and the UNCRPD.

Estonia will continue to work within an anti-discriminatory and human rights framework to enhance independence, freedom of choice and the quality of life of people with disabilities and to raise awareness of disabilities as a part of human diversity. Estonian disability policy acknowledges the basic principle that society has a duty towards all its citizens, to ensure that the difficulties related to disability are minimised through active supporting of healthy lifestyle, adequate health care, rehabilitation, supportive services and supportive communities.

The following tools and methods are used in Estonia to foster the implementation of the UNCRPD:

- Dialogue with other ministries (working groups, councils, written statements) to promote awareness about the UNCRPD, protect the rights of persons with disabilities and enhance collaboration between ministries;
- Dialogue and collaboration with the Estonian Chamber of Disabled People (projects and seminars about the implementation of the UNCRPD, awareness-raising campaigns,

⁷ Estonian Chamber of Disabled People is the national umbrella organisation of representative organisations of persons with disabilities in Estonia. This umbrella body was established in 1993 and has continuously gained new members since then. At the moment, the Chamber has 46 member organisations with several sub-members (more than 420 DPOs in total). Estonian Chamber of Disabled People is also member of European Disability Forum.

workshops etc. for general public, ministries and local governments as well as for organisations of people with disabilities);

- Financing and supporting activities of non-governmental organisations, e.g. projects that promote and protect the rights of persons with disabilities, enhance awareness etc.

The government and the Estonian Chamber of Disabled People have signed a bilateral memorandum of principles of cooperation and have formed a cooperation assembly in order to mainstream disability issues, coordinate activities to ensure protection of the rights of persons with disabilities, set strategic objectives and priorities etc. All the ministries as well as Estonian Chamber of Disabled People and four main DPOs (Association of Persons with Reduced Mobility, Association of the Blind, Association of the Deaf, Association of People with Intellectual Disabilities) are represented in the cooperation assembly that meets regularly.

On 18. November 2014 twelve organisations signed a Cooperation Agreement for Ensuring Social Protection for Persons with Disabilities or Health Damage. The Cooperation Agreement describes principles and measures for:

- 1) development of preventive actions;
- 2) increase of employment among persons with reduced work capacity;
- 3) development and increase of availability and accessibility of supportive labour market and welfare services;
- 4) promotion and increase of access to education for children and young people;
- 5) increase the public awareness.

The detailed action plan for the Cooperation Agreement is currently being prepared. All organisations wishing to do so, can join the Cooperation Agreement later on.

In April 2015 the Accessibility Council comprising of representatives of DPOs, architects, constructors, designers, parliament, universities, other ministries, relevant government agencies and local governments was established with the purpose to propose solutions on how to make buildings, transportation, living environment, information etc accessible to all.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

Since ratification Estonia has worked to designate or establish a framework for independent monitoring of the Convention. Special financial resources have been allocated each year by the Government to complete that task.

In 2013 the Estonian Chamber of Disabled People was unsuccessful in its attempt to create a functioning mechanism. In 2014 the independent Centre for Policy Studies Praxis was tasked with providing an analysis of whether the Chancellor of Justice, the Gender Equality and Equal Treatment Commissioner or some other body should be entrusted with the task on serving as a monitoring mechanism.

At the beginning of 2015, preparations to nominate the Gender Equality and Equal Treatment Commissioner as the independent monitoring mechanism of the Convention have started,

including necessary amendments in legislation and allocating necessary resources to complete the task.

2. The involvement of civil society in the monitoring process - Article 33(3)

Estonia is using different means and methods to foster empowerment of people with disabilities, such as meetings, conferences, dialogue, collaboration, awareness raising and training. The Government also consults civil society when working on legislation, strategies or other important documents related to disability.

In the context of establishing an independent monitoring mechanism according to Article 33(2) of the UNCRPD, special attention was paid to the need to ensure that civil society, in particular persons with disabilities and their respective organisations are included in the monitoring work.

The main partner is the Estonian Chamber of Disabled People. It is the national co-operation and co-ordination body for people with disabilities in Estonia. The Chamber was established in 1993 acts as national umbrella organisation of representative organisations of persons with disabilities. It has 46 member organisations with several sub-members (more than 420 DPOs in total). The goal of the Chamber is to facilitate the improvement in the quality of life of persons with disabilities. For this purpose, the Chamber co-operates with governmental bodies and social partners in order to secure that Estonian legislation and enforcement of it also considers the disability perspective.

Tasks of the Chamber are:

- To participate in elaboration of national social policy, special initiation of the elaboration and implementation of laws and other drafts of legal acts, development plans, programmes and projects related to persons with disabilities;
- To support social and working activity of persons with disabilities;
- To support the development and professional growth of member organizations;
- To promote awareness of society about the issues related to persons with disabilities and to form positive public opinion on issues related to them;
- To improve the collection and generalization of information and statistical data related to persons with disabilities, supporting the activity and research of the respective branches of science.

For an efficient execution of these tasks, the Chamber has established four commissions: the education commission, the health care and rehabilitation commission, the employment commission, and the organizational development commission.

One of the tasks of the Chamber is to monitor the implementation of the UN Standard Regulations in Estonia. It is also a member of the permanent monitoring committee. The Chamber and several DPOs are involved in the preparations to establish a monitoring mechanism and representatives of these organisations have been trained according to the principles of the UNCRPD.

3. Collecting statistics and/or developing indicators - Article 31

The Estonian government is collecting appropriate statistics which can be used for monitoring the implementation of the UNCRPD. Information about the situation of persons with disabilities is gathered by Statistics Estonia with the Estonian Social Survey and the Estonian Labour Force Survey. The Working Life Survey and the Household Budget Survey are also regularly conducted. In 2014 a large scale Estonian Health Survey was carried out. Data about general statistics, household characteristics, employment, coping and time use of persons with disabilities is available in the statistical database of Statistics Estonia. Statistics Estonia prepares regular statistical overviews, keeps a weblog and publishes the annual statistical yearbook as well as thematic publications.

Ministry of Social Affairs collects data about local government services and benefits, service providers and social welfare institutions. Annual reporting, studies and analyses of the health sector are conducted by the National Institute of Health Development. Monthly overviews of the labour market situation are prepared by the Ministry of Social Affairs. Data about the education of children with special needs is collected, analysed and published by the Ministry of Education.

The existing indicators will be reviewed and new ones will be applied under the strategy of social protection, inclusion and equal opportunities development plan for 2016-2023 that will be elaborated by the end of 2015.

Throughout the past years, many surveys on disability matters have been carried out. The aim of these surveys was to identify the changes that have taken place in the situation of independent living, employment, provision of services and thereby to evaluate the implementation and effectiveness of relevant policies and measures taken. In 2014 the Statistics Estonia published an analytical collection of articles on social integration of disabled persons⁸. In 2015 the continuous survey (previous held in 2005 and 2009) on people with disabilities and care burden of their family members will be carried out by the Ministry of Social Affairs. The first survey on coping and needs of families with disabled children was conducted in 2009, a repeat survey is planned for 2016.

⁸ Analytical Collection of Articles „Social Integration of Disabled Persons” is available (both in Estonian and in English) at Statistics Estonia website: <http://www.stat.ee/72564>

Ireland

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

Focal point and coordination arrangements pursuant to Article 33(1) will be settled in due course following Ireland's ratification of the UNCRPD.

The Equality Division of the Department of Justice and Equality co-ordinates both the implementation of the National Disability Strategy and the work of the Interdepartmental Committee on the UNCRPD, which are the primary elements at present in meeting the requirements of the UNCRPD.

2. National strategies to implement the UNCRPD

The Irish Government launched its National Disability Strategy (NDS) in September 2004 to underpin the participation of people with disabilities in Irish society. The NDS builds on existing policy and legislation, including the policy of mainstreaming public services for people with disabilities, and comprehends many of the provisions of the UNCRPD.

The National Disability Strategy Implementation Plan was published in July 2013. The High Level Goals of the Plan are that people with disabilities are free from discrimination; are supported to live the life they choose; live ordinary lives in ordinary places, participating in the life of the community; and are enabled to reach their full potential. Each Goal has specific objectives and actions through which it will be achieved. The Plan, as approved, contains strong oversight mechanisms to ensure delivery of these actions. Progress on the Plan is reviewed by the National Disability Strategy Implementation Group through thematic meetings which deal with specific issues. Such meetings are attended by all relevant bodies to ensure cross-sectoral input and review. All actions in the Plan relevant to the chosen issue are discussed and the progress made is mapped against commitments in the Plan. Three such thematic meetings have been held to date and focused on the themes of Irish Sign Language, Housing and Employment.

Work has begun on the renewal of the National Disability Strategy. Consultations are underway on the follow up to the current NDS Implementation Plan, which expires at end-2015, and on reviewing our approaches to consultation with people with disabilities to ensure that there is real participation by them in monitoring the existing strategy and in development of themes, objectives and actions for the successor measure. A national public consultation will be undertaken in 2015 to establish the key priorities for the sector and to ensure that the renewed implementation of the Strategy will address these priorities.

Implementation of the NDS also provides the basis for implementation of the UNCRPD.

The key elements of the National Disability Strategy are:

- the Disability Act 2005,
- Sectoral Plans for services prepared by six Government Departments,
- the Citizens Information Act 2007 which provides for a personal advocacy service for people with disabilities,

- the Education for Persons with Special Educational Needs Act 2004,
- a multi-annual investment programme 2006-2009 targeted at high-priority disability support services.

The Disability Act 2005 is designed to support the provision of disability-specific services and improve access to mainstream public services for people with disabilities. In accordance with the Act, a review of its operation was carried out in 2010. Under the Act, six Government Departments published Sectoral Plans in December 2006 that set out the programme of measures to be taken in relation to the provision and mainstreaming of services for people with specified disabilities. The relevant Departments are those with the functions of Employment⁹; Health¹⁰; Transport¹¹; Social Protection¹²; Environment¹³, and Communications¹⁴. The Disability Act also requires the preparation of reports relating to the progress made in the implementation of the Sectoral Plans not more than three years after their publication. These Reports were approved for publication by Government in February 2010. The general finding was one of significant and substantial progress by all six Departments.

In terms of the UNCRPD, the NDS is complemented by a high-level Interdepartmental Committee on the UNCRPD which advises on and monitors legislative, policy and administrative actions required to enable the State to ratify the UNCRPD. The committee is chaired by the Equality division of the Department of Justice and Equality and contains officials from the six Sectoral Plan Departments as well as other relevant Government Departments and the Office of Public Works. It has developed a Work Programme to address (i) any elements of the NDS that require alignment with the Convention; and (ii) any matters outside the NDS required for ratification. This programme is being progressed across the relevant Government Departments. At the Committee's request, the National Disability Authority, the lead statutory agency for the sector, has independently assessed the remaining requirements for ratification so as to ensure conclusively that all such issues will be addressed.

An example of what is required for ratification of the UNCRPD is the enactment of capacity legislation. The Programme for Government contains a commitment to introduce a Bill in line with the UN Convention on the Rights of Persons with Disabilities. The Assisted Decision-Making (Capacity) Bill, published on 17 July 2013, provides a series of options to support people with impaired capacity to make decisions and exercise their basic rights in line with the principles of the UN Convention. It undertakes a comprehensive reform of existing legislation governing capacity. Following extensive consultation, the Department of Justice and Equality, in tandem with the Office of Parliamentary Counsel, is currently finalising the drafting of amending provisions in preparation for Committee Stage in the Dáil (Ireland's lower House), which is anticipated to take place shortly. The passage of this Bill will add substantially to the overall progress on implementation of the requirements towards ratification of the Convention.

⁹ Sectoral Plan is at www.entemp.ie/labour/strategy/sectoralplan.pdf

¹⁰ www.dohc.ie/publications/fulltext/disability_sectoral_plan

¹¹ www.transport.ie/upload/general/7760-0.htm

¹² www.welfare.ie/EN/Policy/CorporatePublications/HowWeWork/Disability%20Sectoral%20Plan/Pages/index.aspx

¹³ www.environ.ie/en/LocalGovernment/LocalGovernmentAdministration/SectoralPlan/PublicationsDocuments/FileDownload.2011.en.pdf

¹⁴ www.dcenr.gov.ie/NR/rdoonlyres/86EAF9C1-6F7C-45ED-9F30-60775F3EF42D/0/justicerevisedpublishableplan.pdf

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

The role of the Interdepartmental Committee on the UNCRPD was previously outlined. It is likely that this committee will continue to monitor the process towards implementation following Ireland's ratification.

The National Disability Strategy (NDS), as also outlined at 2.1.2, comprehends many of the provisions of the UNCRPD. Progress on its implementation is driven by the Senior Officials Group on Disability (SOGD), which reports to the Cabinet Committee on Social Policy.

Progress on the overall implementation of the NDS is monitored by the National Disability Strategy Implementation Group, which provides a means of facilitating dialogue between all parties involved. Membership of the Group is made up of representatives of the Senior Officials Group on Disability (SOGD)¹⁵; County and City Managers Association; the Disability Stakeholder Group (DSG)¹⁶; and the National Disability Authority.

The National Disability Authority (NDA) is the lead state agency on disability issues and is under the aegis of the Department of Justice and Equality. It develops and monitors standards in services for people with disabilities and advises Government on disability policy and practice. The NDA is actively involved with the implementation of important aspects of the National Disability Strategy and supports Government Departments and agencies in meeting relevant objectives.

2. The involvement of civil society in the monitoring process - Article 33(3)

The purpose of the National Disability Strategy Implementation Group is to maintain a constructive relationship with stakeholders, provide them with a forum to raise issues and a means of facilitating dialogue between all parties involved in the NDS. Membership of the NDSIG (see also 2.2.1. above) includes the Disability Stakeholder Group, which represents the sector, its organisations and service users.

The Interdepartmental Committee on the UNCRPD consults with people with disabilities through their representative organisations and has prepared Irish language and Braille versions of the UNCRPD.

People with disabilities, their families, carers, advocates and service providers were consulted on the Sectoral Plans before they were completed. Each plan includes arrangements for complaints, monitoring and review procedures. The DSG, apart from being part of the NDSIG,

¹⁵ The SOGD comprises officials from the Departments of Health; Social Protection; Transport, Tourism and Sport; Environment, Community and Local Government; Jobs, Enterprise and Innovation; Communications, Energy and Natural Resources; Arts, Heritage and the Gaeltacht; Education and Skills; Children and Youth Affairs and Public Expenditure and Reform.

¹⁶ The DSG comprises representatives from Disability Federation of Ireland; Inclusion Ireland; Mental Health Reform; National Federation of Voluntary Bodies; National Service Users Executive; Centre for Independent Living and Not for Profit Business Association. It also includes a number of service users who are serving as individuals in a personal capacity.

is in ongoing consultation with relevant Government Departments in relation to Sectoral Plans and all aspects of disability.

Disability organisations were also consulted in respect of the review of the operation of the Disability Act. A Disability Stakeholders Group, on which range of disability organisations and interests are represented, advises Government on implementation of the National Disability Strategy.

3. Collecting statistics and/or developing indicators - Article 31

The Central Statistics Office (CSO) is the national statutory body with responsibility for the collection, compilation, extraction and dissemination for statistical purposes of information relating to economic, social and general activities and conditions in the State¹⁷. CSO surveys with particular relevance in providing statistics on people with disabilities include:

- the Census of Population,
- the National Disability Survey,
- the Quarterly National Household Survey,
- the annual Survey on Income and Living Conditions (SILC) .

The National Disability Authority has a statutory remit to undertake, commission or collaborate in disability research and to contribute to the development of statistical information relating to programmes and services for people with disabilities. The NDA fulfils this remit in a number of ways, including:

- the production and dissemination of disability research on a wide range of policy and service related issues;
- contributing expertise to national research and development initiatives - such as the Central Statistics Office's National Disability Survey, the Health Research Board's National Disability Databases (see below), and projects in partnership with agencies such as the National Women's Council, the Council for Ageing and Older People, the Equality Authority and many others;
- hosting the NDA Annual Disability Research Conference and the NDA Database of Disability Research in Ireland;
- funding research at grassroots level through the Research Promotion Scheme (RPS) and funding postgraduate research through the NDA Disability Research Scholarships;
- developing outcome indicators to monitor progress of the measures contained in the National Disability Strategy Implementation Plan.

There are two national service-planning databases in Ireland for persons with disabilities managed by the Health Research Board: the National Intellectual Disability Database and the National Physical and Sensory Disability Database. These databases inform decision-making in relation to the planning of specialised health and personal social services for people with intellectual, physical or sensory disabilities.

¹⁷ www.cso.ie

Greece

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

The Ministry of Labour, Social Security & Welfare has been appointed as the focal point according to article 33. Due to the fact that disability is an inter-ministerial subject, all ministries play a key role and take provisions on the implementation of the UN Convention. The focal point is working very close and has established an open dialogue with the other parts of the government and organisations in the disability area.

2. National strategies to implement the UNCRPD

So far, there is no National strategy regarding the implementation of the Convention and an approach has been chosen that ministries and other governmental organizations will create a new legal framework or implement the current one, that have to do with the rights of people with disabilities. Under this aim, it is important to mention briefly main ministerial policies on disability.

The new law framework for people with disabilities, places accessibility standards on new and existing buildings and the requirement of existing buildings housing specific uses, to complete the necessary configurations to their service areas and to be fully accessible. Also, the new regulation imposed to ensure easy convertibility conditions of housing in residential future users and disabled persons.

Education of children with disabilities take place a) in the general school, b) in the general school with support from special education teachers, c) in a special organised and appropriately staffed integration classes that work under the rules of general and professional education, d) Schools for Special Education, depending on the type of disability and the students' educational needs. Emphasize at lifelong learning for disabled and vulnerable social groups.

The implementation of the social inclusion, the promotion of independent living for people with disabilities and supporting of the families of the disabled people as well, has prioritized the development of small supported living units. The aim of such intervention is to develop an alternative community living for people with intellectual disabilities mainly who are at risk of institutionalization and social exclusion.

Rehabilitation Centers, all over the country, are operated using modern means and methods of medical rehabilitation. Also, a holistic rehabilitation approach has been adopted, from birth, offering support and guidance to family members. The scope is to aimed at social inclusion and providing equal opportunities for inclusion and participation in society.

The Manpower Employment Organisation (OAED) implements programs to subsidize businesses that hire people belonging to vulnerable social groups, including persons with disabilities. The purpose of these programs is the creation of “New Jobs” by subsidizing labor costs for beneficiaries for a specified period. Through these programs seek work experience with a view to maintaining employment for all these beneficials.

Several Greek regions have adopted policies related to accessibility for people with disabilities in tourist activities. In order to provide reliable information regarding tourism in Greece, was published the "Accessible Activities Guide to Greece", which recorded in detail the accessible tourist and recreational infrastructure of Greece by area, such as hotels, museums, archaeological sites, restaurants, walkways, parks, beaches, entertainment venues, theaters, sports grounds, etc. Also, there is a proposal of cooperation on the initiative by highlighting specific Greek hospitality characteristics for specific categories of visitors like those with disabilities.

The Ministry of Transport and Communications has sensitized and therefore has ensured that the majority of transport is accessible to people with disabilities. Such as the Athens Metro, which has facilities in all stations and trains accessible to Persons with disabilities, the suburban rail-way and the city tram network.

A key priority is also the promotion of the principle of equal treatment and awareness raising on disability issues and for this, have been implemented information and awareness campaigns, actions and training seminars, workshops, publication and dissemination of brochures on the rights of people with disabilities. For example, the General Secretariat of the Media has undertaken various initiatives to enhance visibility, access and participation of people with disabilities in the media and new communication technologies.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

As required by Article 33(2) of the UNCRPD, a monitoring body should be defined to facilitate and supervise the application of the Convention in different sectors and on different levels. In Greece, such a body has not yet been defined. All ministries are thus reminded to recall the provisions of the Convention until a new body is defined and established.

2. The involvement of civil society in the monitoring process - Article 33(3)

The national organizations of people with disabilities are much consulted by the governmental bodies. They offer essential advice and support the rights of people with disability. After the development of an independent mechanism, the participation of organizations of people with disabilities is considered as essential. They will fully participate in the process of monitoring the implementation of the Convention.

The role of the National Confederation of Disabled People (ESAMEA) and the National Confederation of Parents and Tutors of Disabled People (POSGAMEA), the most representative NGOs of people with disabilities, may participate in the dialogue with the Ministries' services for the determination and implementation of the UN Convention and also for the nomination of the monitoring body.

People with disabilities and their representative organisations participate as full members in several committees and working groups at national, regional and local level contributing in the formulation of policies relating to people with disabilities. In addition, they are members

of political parties on an equal basis with ordinary members and to several non-profit organisations.

According to Law 2430/1997, every year on the 3rd December – which is the International Day of People with Disabilities - several events take place under the aegis of the Greek Parliament, the Ministry of Health and Social Solidarity and the National Confederation of Disabled People (ESAMEA) with the aim to raise awareness of the human and social rights of people with disabilities in Greece. On the same day, each year, ESAMEA submits a report on the situation of people with disabilities in Greece to the president of the Greek Parliament.

3. Collecting statistics and/or developing indicators - Article 31

The central administration - mainly governmental bodies and the ministries – meet on a regular basis to exchange information and statistical data on people with disabilities so that they have a complete overview of the issue in the whole of Greece.

As an institution assembling individual statistical indicators, the national statistical service produces regularly centralized statistical bulletins with regard to disability. The Ministry of Labour, Social Security & Welfare has a unique electronic database which constitutes the National Register of disability benefit recipients. Also, there are figures and numbers regarding the of disabled people. Thereby, it is possible to locate weaknesses and omissions concerning the obligations mentioned in the UNCRPD. Consequently, adequate policies can be developed in order to effectively implement the Convention.

Spain

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

The focal point for the UNCRPD is the Ministry of Foreign Affairs and Cooperation as well as the Ministry of Health, Social Services and Equality, through the Directorate-General for Disability Support Policies, which is responsible for the coordination of both.

The government coordination mechanism to protect, promote and monitor compliance with the UNCRPD is the National Disabilities Council. The National Disabilities Council was designated in 2009 as the body of reference for the promotion and monitoring of international legal instruments in matters of the human rights of persons with disabilities, and in particular the implementation of the UNCRPD but it existed before that date and it was used by the government as an instrument for the coordination between all the Ministries.

This is a consulting body made up equally of representatives of all of the ministries and representatives of persons with disabilities. It was created in 2004 by Royal Decree 1865/2004¹⁸, which regulates the National Disabilities Council. It is assigned to the Ministry of Education, Social Policy and Sport and formalises the participation of the associative movement of people with disabilities, their families and the General State Administration in the definition and coordination of a coherent disability policy.

In particular, promoting equal opportunities and non-discrimination of people with disabilities is the task of this Council. To do so, and on account of the adoption of the UN Convention, the original responsibilities of the National Council on Disability have been modified and extended through Royal Decree 1468/2007¹⁹, of 2 November by adding the functions of constituting reference body for promoting and monitoring legal international instruments regarding the human rights for people with disabilities. The last modifications of the National Council on Disability were introduced by the Royal Decree 1855/2009²⁰, of 4 December. Furthermore, the Commission on Integral Policies on Disabilities was created in the Congress of Deputies.

Spain is made up of Autonomous Communities. Considering the distribution of competences between the central government and the autonomous regions, the Ministry of Health, Social Services and Equality holds periodic meetings with the general directors responsible for disability policies in each autonomous region, through the Directorate-General for Disability Support Policies. The Ministry thereby ensures coordination between both levels of administration. The approval and operation of a mechanism such as that of the joint work methodology between the national government and the general directorates of the autonomous regions in matters of disability encourage the putting into practice of the focal points and the obligations set forth in the UN Convention at the Spanish regional government level.

¹⁸ www.mtas.es/sgas/Discapacidad/ConsejoDisca/RD1865-04.htm

¹⁹ http://www.mtas.es/sgas/Discapacidad/ConsejoDisca/RD1865_04modif.pdf

²⁰ <http://www.boe.es/boe/dias/2009/12/26/pdfs/BOE-A-2009-20890.pdf>

2. National strategies to implement the UNCRPD

Spain ratified the UNCRPD and the Optional Protocol, and has been incorporated into national law.²¹

In Spanish Law, the evolution of disability towards a social model had already occurred before the coming into effect on 3 May 2008 of the Convention. This evolution started with the adoption of the Law 13/1982 of 7 April, on Social Integration of Disabled Persons (LISMI), the Law 51/2003, 2 December, on equal opportunities, non discrimination and universal accessibility of people with disabilities (LIONDAU) and its implementing rules and culminates with the adoption of Law 1/2013, of 29 November of rights of people with disabilities and their social inclusion which consolidates previous legislation.

The Law 26/2011 for the normative adaptation to the UN Convention made progress in many areas, amending regulations and modifying several Spanish laws in response to the Convention, and including important positive action measures in health, housing, employment and other areas.

The first step taken within the global strategy for implementing the UNCRPD, was the creation of an inter-ministerial working group to draw up an integral study of Spanish law, with the objective of adapting it to the Convention's provisions. This group was approved by the Council of Ministers on July 10, 2009. It was presided over by the Ministry of Health and Social Policies (currently the Ministry of Health, Social Services and Equality) and included all the ministries. It was advised by the CERMI (Spanish Committee of Representatives of Persons with Disabilities). The work group conclusions contained basic information for the first Spanish Report sent to the UN Committee of the UNCRPD on 3 May 2010.

A permanent inter-ministry work group continues working in different areas such as education, justice, culture, etc. Specific forums were created in these areas like the Inclusive Education Forum which is working in the modification of the university law and the Justice and Disabilities Forum which is analysing matters of the Article 12 of the UNCRPD.

The UN Committee on the Rights of Persons with Disabilities considered the initial report of Spain (CRPD/C/ESP/1) at its 56th and 57th meetings, held on 20 September 2011, and adopted concluding observations at its 62nd meeting, held on 23 September 2011, that constitute a framework to continue with the work of implementing the UNCRPD in Spain.

The Spanish Disability Strategy 2012-2020, approved in November 2011, was elaborated taking into account the principal areas of concern and recommendations made by the Committee, as well as the general targets established in Europe 2020 and the specifics of the EU Disability Strategy 2010-2020. In September 2014 has been approved the Action Plan for the Spanish Disability Strategy 2014-2020 which is focused in five priorities: Equality and non discrimination, Employment, Education, Accessibility and Economy boosting.

The periodic meetings with the general directors of the autonomous regions' governments allow to promote the measures for compliance with the Convention within their areas of authority, as part of their action plans for persons with disabilities.

²¹ boe.es/aeboe/consultas/bases_datos/doc.php?id=BOE-A-2008-6996

The dissemination of the UNCRPD has been a priority in the actions undertaken. Thus, the Convention has been published and distributed in different accessible formats: Easy to read (Real Patronato de Discapacidad and the CNSE Foundation), audio format (ONCE Bibliographic Service), Spanish and Catalan sign language (Real Patronato de Discapacidad and the CNSE Foundation) and in Braille. Likewise, it has been translated into all of the official languages: Spanish, Basque, Galician and Catalan. All these formats are available at: <http://www.convenciondiscapacidad.es/convencionESPANA.html>

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

The Royal Decree 1855/2009²², which modified the regulation of the National Disabilities Council mentioned above, designates it as the body of reference for the promotion and monitoring of international legal instruments in matters of the human rights of persons with disabilities, and in particular the implementation of the UNCRPD. The National Disabilities Council created the CERMI (Spanish Committee of Representatives of Persons with Disabilities), applying the provisions of Article 33(2), as the first independent civil society organization. This also fulfills the provisions of Article 33(3), concerning the monitoring and follow-up of the Convention's application in Spain.

2. The involvement of civil society in the monitoring process - Article 33(3)

The Ministry of Health, Social Services and Equality works very closely with civil society and promotes its involvement. Different mechanisms have been created, both on the Ministry's initiative and by the principal organizations of representatives of persons with disabilities. Among them are:

- The participation of the academic sector, through Madrid's Carlos III University, in the elaboration of reports relative to Spanish legislation that needs to be adapted to the provisions of the UNCRPD.
- The permanent link with the European Disability Forum (EDF) through the Social and International Relations Area of the ONCE Foundation, headquartered in Brussels.
- The web page²³ created by the CERMI to offer specialized information on the UNCRPD, which represents a fundamental instrument for promoting, disseminating and raising awareness of the principles of this agreement.

All projects on regulations and general plans concerning people with disabilities are consulted through the National Disability Council, in which organizations of people with disabilities and their families are represented.

People with disabilities have access to all public means of training that are of interest and likewise, they have programmes financed by Public Administrations and other collaborators that are undertaken by their organizations in order to favour their competence and skills.

Dialogue is open permanently by these Organizations and those who represent them.

²² <http://www.boe.es/boe/dias/2009/12/26/pdfs/BOE-A-2009-20890.pdf>

²³ <http://www.convenciondiscapacidad.es>

3. Collecting statistics and/or developing indicators - Article 31

In Spain, the National Statistics Institute (INE in its Spanish initials) has been carrying out a macro survey on disabilities since 1986. The updated edition of this survey was published in 2008, under the title: *Encuesta sobre Discapacidades, Autonomía personal y Situaciones de Dependencia*²⁴ (Survey on Disabilities, Personal Autonomy and Dependent Situations).

As a consequence of Spain's ratification of the UNCRPD, and as relates to Article 31, the government initiated a project to include the disabilities indicator in all of the active population statistics produced by the INE.

A new yearly statistical operation called Employment of Persons with Disabilities (EPD 2008: *Empleo de las Personas con Discapacidad*²⁵) was first published on 20 December 2010 as a pilot project. This data collection, elaborated by the Statistics National Institute of Spain (INE), focuses on the employment of people with disabilities, but also includes information about educational levels of people with disabilities aged 14-64. EPD is prepared through the exploitation of data from the Economically active population survey (EPA) and the National Database of people with disabilities (BEPD) with the collaboration of Spanish Committee of People with Disabilities and ONCE Foundation (Spanish National Organization of Blind).

The results became from the crossing statistics data of the two sources mentioned above (EPA and BEPD) so that it was possible to combine the socio-demographic and labour force information with the people who has recognized a legal disability situation equal or up to 33% in the Spanish legislation. The use of survey and administrative data have the advantage of less budget cost and also make less burden in the answers of the informers.

In 2014, a new statistical operation: called The Wages of Persons with Disabilities was published by INE²⁶, conducted since 2013 with reference 2010 (available since 2010). The objective is to investigate the earnings of workers with disabilities, and do so in comparative terms with workers without disabilities.

INE also receives information about persons with disabilities and their situation through bodies like *Observatorio Estatal de la Discapacidad*²⁷, *Real Patronato de la Discapacidad*²⁸ and the information system named SID²⁹.

²⁴ <http://www.ine.es/jaxi/menu.do?type=pcaxis&path=/t15/p418&file=inebase&L=0>

²⁵ <http://www.ine.es/jaxi/menu.do?type=pcaxis&path=%2Ft22%2Fp320%2Fa2008%2F&file=pcaxis&N=&L=0>

²⁶ http://www.ine.es/dyngs/INEbase/es/categoria.htm?c=Estadistica_P&cid=1254735976596

²⁷ <http://www.observatoriodeladiscapacidad.es/>

²⁸ <http://www.rpd.es/>

²⁹ <http://sid.usal.es/>

France

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

Since disability policy is a transversal task, the French Government is considering to designate all ministerial bodies directly involved in disability policy as **focal points** rather than nominating a single authority. Depending on the organization mechanisms of the different ministries, the focal point will either be an administration, a bureau or even a mission.

Since the dissemination of knowledge on the Convention onto the entire country is necessary for its effective implementation, the appointment of focal points at the level of decentralized services and regional authorities is to be considered.

The issue of appointing the MDPH (*Maisons départementales des personnes handicapées* – Département Houses for disabled persons) as focal points on the local level is examined. Being governed by the *Conseil général* (General Council, elected authority of self-governance on the *département* level) and thus, by the constitutional right of local self-governance, they cannot, strictly speaking, figure as “focal points within government” according to Article 33(1) of the Convention. However, the MDPH, by their function in the French legislation system, are particularly eligible to act as a hub for the implementation of the Convention on a local level.

The MDPH are governed by the CDAPH (*Commission des droits et de de l'autonomie des personnes handicapées*), a commission where the *département*, the state, the local authorities of social security and by a quarter of its members, the organizations of disabled persons are represented. They are present in each of the 101 *département* districts and perform the tasks of receiving, informing and counselling disabled persons as well as their families. They handle and process every request and juridical application (benefits or recognition) to be decided by the CDAPH; they also provide for the implementation and monitoring of those decisions. Furthermore, they are also charged with the raising of awareness of disability issues in the general public. The MDPH are thus a central intersection and a privileged partner of the disabled person. In return, they act as a reference point for everyone on all matters concerning disability.

On the national level, the coordination of the MDPH is guaranteed by the CNSA (*Caisse Nationale de Solidarité pour l'Autonomie*, National Solidarity Fund for Independence) which has been created 2004-2005 to ensure the collection and distribution of funds to finance the benefits and accommodations that contribute to the independence of disabled and elderly persons. They, too, are governed by representatives of the State, the *departements*, social partners (unions, employers), disabled and elderly persons as well as specialized services. The mission of the CNSA is, among others, to animate the MDPH network without executing a hierarchic authority on them, each of them being independent and belonging to their *département*. The fund contributes to mainstreaming the performance of the MDPH by the contribution to their funding, by exchanging best practices, by publishing information and recommendations, by signing quality agreements and by professional training.

Even though the **coordination mechanism** is deemed voluntary according to the Convention, France has decided to put in place such a mechanism. The CIH (*Comité interministériel du handicap* –Inter-Ministerial Committee on Disability), established by the decree 2009, will be responsible for setting up this mechanism. By appointing the inter-ministerial CIH as the coordination mechanism, the French Government wishes to highlight that it regards disability policy as a political priority.

Moreover, the CIH's secretary general will be able to appoint and call together the focal points as deemed necessary. The French Government also expresses its wish to establish close relations between the coordination mechanism and the representatives of persons with disabilities. Therefore, the CIH Secretary General is also performing the duties of the Secretary of the CNCPPH (*Conseil National Consultatif des Personnes Handicapées* - National Advisory Council for Persons with Disabilities), in order to establish an institutional link between both bodies.

2. National strategies to implement the UNCRPD

The implementation of the obligations arising from the UNCRPD and its Optional Protocol has been anticipated through the elaboration of the Law for the Equality of Chances and Rights, of Participation and Citizenship of Disabled Persons (law nr. 2005-102 of 11 February 2005). Due to this law, the necessity of adaptation of the French national legislation to the UN Convention will be very limited. The law of 11 February 2005 on certain points goes further than the UN Convention, and thereby can figure as transposition to most general obligations in the UNCRPD.

The law of 2005 is built around three key aspects:

- universal accessibility to all aspects of social life (education, employment, buildings, transport)
- the right to compensation for the impact of disability,
- Active citizenship and access to community services, especially by means of the introduction of the MDPH.

As the Convention sets out the establishment of a **national action plan**, the law of 11 February 2005 requires the holding of a national conference on disability every three years. These conferences will gather representatives of organizations of persons with disabilities, social/medical institutions or services working with persons with disabilities, social security institutions, trade unions and employer organizations and other bodies relevant in disability policy. In order to prepare the conference, the law maintains that the Government has to deposit a report on the implementation and future developments of the national disability policy at the parliamentary assemblies' bureau, after a consultation with the CNCPPH. The measures and orientations discussed before and during these conferences are functioning as a national action plan, for they describe and orientate the policies to be implemented for the inclusion of disabled persons into society.

Such conferences have been held in 2008 and 2011. At the conference of 10 June 2008, the French President presented an action plan which dealt in particular with the improvement of services and benefits for disabled persons, their employment, the access of disabled children to education and the improvement of accessibility in urban development. The second National Conference on disability was held on 8 June 2011 under the general subject “An inclusive society for all ages”. Six years after the law of 2005 had been voted, this conference

undertook to draw a summary of the implementation of this law fundamental to the full inclusion of disabled persons in society. Following the conclusions of the first conference of June 2008, there was drawn an encouraging analysis of public action on the issues of equality of rights and chances, of participation and citizenship of disabled persons. The joint efforts of inclusion by public and private stakeholders alike has significantly evolved through the years, especially concerning the issues of financial compensation for the impacts of disability, accessibility to urban environment, employment and resources, particularly in benefits for adult persons with disabilities, and also on research, prevention and professional training.

During the conference held in 2011, the central actions were presented as follows:

- An unprecedented effort of public services to implement accessibility
 - o a multi-annual plan to make accessible the workplaces in public service, public schools and small local communities,
 - o a plan to make accessible all websites of State and government,
- Actions to provide a quality access to knowledge to address the needs of all children and all students with disabilities:
 - o since the beginning of winter term 2011/2012, the employment of qualified school assistants to face the increasing numbers of disabled children in regular schools
- A new plan for the employment of disabled persons:
 - o the creation of 3000 new jobs in 3 years in adapted enterprises,
 - o the needs of young unemployed disabled person as a major issue in the conventions between the State and the regions for vocational training,
 - o A special mission to orientation training for young disabled persons, especially those from medical/social institutions,
 - o Improvement of information about accessible training schemes for disabled employees in every region.
- Disability as a strategic orientation of scientific research in France:
 - o Inclusion of disability issues in the revision of the national research strategy and participation of the organizations of disabled persons,
- Specific measures to address the most vulnerable groups:
 - o multi-annual contributions to the compensation funds of the *départements*,
 - o the improvement of funding and performance of the MDPH by means of agreements on objectives
 - o reinforcement of the child care assistance: for severely disabled parents, the benefits for child care have been raised by 30%.

The **new French government established in 2012** is making social solidarity its principal priority. Within the outlines of policies to be implemented for the actual period, disability issues are integrated in a transversal way.

The government especially names three issues in its priority outlines for the next years:

- full and equal participation of disabled persons in community life, especially
 - o improvement of the inclusive education of children with disabilities,
 - o employment of disabled persons as part of the road map for more employment,
 - o accessibility and design for all,
 - o Disability mainstreaming in legislation by means of a circular of 4 September 2012 stating that in every draft bill the impact on disabled persons has to be considered and documented.
- The government also announced the reunion of the Inter-ministerial Committee on Disability (CIH) for the end of the first semester 2013.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/protecting/ monitoring - Article 33(2)

The establishment of such mechanism is currently being considered in the light of the recent reform that brings together several bodies of fundamental rights protection under the authority of a *Défenseur des Droits* (Defender of Rights), without prejudice to the powers of the CNCNDH (*Commission Nationale Consultative des Droits de l'Homme* - National Advisory Council for Human Rights). The *Défenseur des droits* is an independent authority installed by the Constitution since 2011. It is charged particularly with the protection of fundamental rights of the citizen and the fight against discriminations including rights and non-discrimination of disabled persons.

Moreover, the *Observatoire interministeriel de l'accessibilité et de la conception universelle* (inter-ministerial Observatory for accessibility and universal design) has been established on 11 February 2010, with the mission to monitor the developments, identify the challenges to the implementation of accessibility, disseminate good practice and create monitoring indicators. The Observatory is composed of construction and transportation experts and representatives of organizations for persons with disabilities. The Observatory is particularly making a point on the issue of urban communities for everyone, thus on the idea of a universal design. The Observatory organized a conference on universal design in December 2011. The Observatory is regularly publishing reports on the implementation of accessibility in all sectors. The last report has been delivered in October 2012.

2. The involvement of civil society in the monitoring process - Article 33(3)

Co-operation with disabled persons is ensured by the CNCNPH (*Conseil National Consultatif des Personnes Handicapées* - National Advisory Council for Persons with Disabilities). The CNCNDH was created through the law of 17 January 2002 in order to ensure the participation of disabled persons in the development and in the implementation of the policies related to disability. The CNCNPH links the public authorities and civil society. It assembles the following institutions: organizations for persons with disabilities and their relatives, administrative bodies, bodies financing social protection of disabled persons or relevant research projects, trade-unions, professional organizations, the representatives of territorial authorities.

The law of 11 February 2005 widened the scope of responsibility of the CNCNPH, by giving it the responsibility to assess the situation of persons with disabilities. It is given the role to analyze whether the situation of disabled persons is compliant with the national principle of solidarity. Furthermore, the last Article of the 2005 law prescribes an obligatory consultation of the CNCNPH for all regulatory texts of application of the law of 11 February 2005.

The CNCNPH assumes therefore an essential role in the implementation of the law as well as in the evaluation and development of policies dealing with disability issues.

The CNCNPH discussed several topics which developed into a report on disabled persons in situation of dependence and on the granting of minimal incomes. The Minister of Labour, Solidarity and the Civil Service, and the secretary of State responsible for Solidarity also contributed to the report on the development of "trade plans".

The CNCPH is responsible for "coordinating" the CDCPH (*Comités Départementales Consultatifs des personnes handicapées* - Départemental Advisory Boards of Disabled Persons), evaluating the implementation of disability policy and the situation of disabled persons on the *département* level. To facilitate their analyses, the CDCPH gather information on the activities of the MDPH and of the contents and the application of the PDITH (*Plans Départementaux d'insertion des travailleurs handicapés* - Départemental Schemes for the Inclusion of Disabled Workers). They also have access to the data of the CDAPH (*Commission des droits et d'autonomie des personnes handicapées* - Commission for the rights and the independence of Persons with Disabilities) and of the institutions working with disabled persons.

The CNCPH is publishing a thorough report on the situation of disabled persons in France, the last one dating from August 2012.

3. Collecting statistics and/or developing indicators - Article 31

In accordance with Article 31 of the UN Convention, France has to set up a statistical mechanism specifically for monitoring the implementation of the UNCRPD. Currently, France does not yet have this type of mechanism. However numerous tools used on a national level for collecting information on persons with disabilities could be used to this end. For instance, one may refer to the survey on disability and health (*enquête handicap-santé*), which relates to all persons residing or being looked after in special facilities or living in ordinary homes. The most recent survey has been published 2010, carried out with 40,000 participants. Numerous statistics are also available in the field of employment.

At the same time, numerous studies carried out for Community coordination use indicators which are also relevant to disability-related issues (employment, fight against exclusion, social welfare...) and could therefore be used for collecting statistics of developing indicators.

Croatia

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

In the Republic of Croatia, the central body for the implementation of the UN Convention is the Ministry of Social Policy and Youth (until 2012, the Ministry of the Family, Veterans' Affairs and Intergenerational Solidarity). The Ministry is also the coordinator of the National Strategy for Equal Opportunities for Persons with Disabilities 2007-2015.

2. National strategies to implement the UNCRPD

The National Strategy for Equal Opportunities for Persons with Disabilities 2007-2015 was adopted by the Government of the Republic of Croatia on 5th June 2007. It is based on the Convention and the Council of Europe Disability Action Plan 2006-2015. The National Strategy sets 101 measures, defines implementation bearers and co-bearers and deadlines for the implementation of activities and measures, states implementation indicators and sets out the commitment of planning funds for the implementation of each measure. The goal of the National Strategy is to harmonise all action programmes in the field of protection of persons with disabilities, based on the achieved standards at global level. It is directed to make all areas of life and activities open and accessible to persons with disabilities.

General objectives of the National Strategy are the respect of human rights, non-discrimination, creation of equal opportunities, full civic participation, full participation in community life and involvement in the global and European policy framework for people with disabilities. The implementation coordinator of the National Strategy is – in addition to the Ministry of Social Policy and Youth – the Committee for Persons with Disabilities, which is an advisory and expert body of the Government of the Republic of Croatia.

In order to improve the implementation of the National Strategy as well as the horizontal and vertical coordination of implementation and reporting, the Ministry, in cooperation with the United Nations Development Programme in Croatia, implemented from 2009 to 2011 the project “Support in Applying Monitoring and Evaluation Mechanisms for the Implementation of the National Strategy for Equal Opportunities for Persons with Disabilities 2007-2015”.

Consequently, an analysis of the National Strategy was carried out, which identified challenges, developed new instruments (Framework for monitoring the National Strategy implementation) and upgraded the existing ones for improving the implementation and monitoring (Forms for the preparation of reports on the National Strategy measures implementation); consultative and educational workshops were held, which covered the bearers and co-bearers of the measures at all levels (national, regional and local), representatives of the state administration and family centres, and representatives of associations of persons with disabilities.

An analysis of gaps of the implementation of the Convention in Croatia was done within the framework of project implementation. The process of improving the implementation, monitoring and evaluation of the National Strategy, with a goal to fully implement the Convention in national legislation and strategic plans at national and local level continues.

Since 2015 is the last year of implementation of the National Strategy for Equal Opportunities for Persons with Disabilities 2007-2015, the New Strategy for the next implementation period will be adopted by the Government until the end of 2015.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/protecting/ monitoring - Article 33(2)

In order to more effectively protect the rights of persons with disabilities, following the proposal by the Government of the Republic of Croatia, the Croatian Parliament at its session on 3 October 2007 adopted the Act on the Ombudsman for Persons with Disabilities, which became effective as of 1 January 2008. By the decision of the Croatian Parliament, Anka Slonjšak, a person with a disability, was appointed as the Ombudsman, and she took office on 1 July 2008.

The Office is an independent body whose main task is to monitor, promote and protect the rights of persons with disabilities. The scope of work of the Disability Ombudsman's Office includes monitoring the execution of obligations of the Republic of Croatia arising from international documents relating to the protection of the rights and interests of persons with disabilities, as well as the UN Convention. Persons with disabilities may contact the Ombudsman directly, advocate for their rights and influence decisions that affect their lives. The Disability Ombudsman has powers which the general Ombudsman does not have, namely the right of access to premises and the inspection of the provision of care to persons with disabilities who reside, work or are temporarily or permanently placed with natural and legal persons and other legal entities under special regulations. The Ombudsman submits an annual report to the Croatian Parliament for adoption.

The Committee for Persons with Disabilities of the Government of the Republic of Croatia is an advisory and expert body of the Croatian Government. It has existed in this form since 1997, but its mandate was newly established in 2013 by Government Decision of 16 May 2013 (published in Official Gazette 60/13). Its task is to make proposals, give opinions and expert explanations on the status, protection and rehabilitation of persons with disabilities and their families to the Croatian Government, and to carry out activities aimed at their well-being. The Committee also monitors the implementation of the Convention and other international acts related to the protection and promotion of the rights of persons with disabilities.

It consists of 28 members – 13 representatives of government bodies, 13 representatives of national unions of persons with disabilities and 2 representatives of scientific institutions; out of the total members, 6 are persons with disabilities. It consists of 33 members – 15 representatives of government bodies, 16 representatives of national unions of persons with disabilities and 2 representatives of scientific institutions.

2. The involvement of civil society in the monitoring process - Article 33(3)

The Croatian Government recognises non-governmental, non-profit organisations of persons with disabilities as competent and qualified partners in policy development, and has developed partnerships with them in the decision-making process in order to protect the rights and dignity of persons with disabilities as appropriate. As of 26 August 2013, the Register of

Associations of the Republic of Croatia includes 426 associations of persons with disabilities and associations working for the benefit of persons with disabilities.

In addition to being members in a number of working groups for the development of legislative proposals, national and local strategic documents, representatives of the national unions of persons with disabilities were also involved in the preparation of the Initial Report of the Republic of Croatia on the implementation of the Convention.

Initial report on the implementation of the UN's CRPD in the Republic of Croatia was made in July 2011 year for the first time after ratification of CRPD. In March of this year (30 and 31) in Geneva, the Republic of Croatia presented the initial report in front of the UN Committee for the Rights of Persons with Disabilities. In accordance with the above and after consideration of the initial report, the UN Committee has requested the submission of the additional report. This additional report with some clarification was made in December 2014.

3. Collecting statistics and/or developing indicators - Article 31

The Croatian Bureau of Statistics collected data on persons with disabilities in the Census of Population, Households and Dwellings in 2001 for the first time. For persons with disabilities, answers were collected to the question of “cause of disability” and “physical mobility of disabled person”. The Census of Population, Households and Dwellings, conducted in April of 2011, had an increased number of questions relating to persons with disabilities. Six questions on the questionnaire related to the disability of a person: whether the person, because of a long-term illness, disability or age, has difficulties in performing daily activities; type of difficulties; physical mobility of the person; cause of difficulties; whether the person needs personal assistance in performing daily activities; whether the person uses personal assistance in performing daily activities.

Since the availability of appropriate data on disability is a prerequisite for planning appropriate measures and adopting programmes for persons with disabilities, the Republic of Croatia, in 2001, adopted the Act on the Croatian Register of Persons with Disabilities. The Register is kept at the Croatian National Institute of Public Health in the Department for the prevention of disability, and became operational in mid-2002. The data is collected from the relevant authorities in the fields of health, social welfare and education. The register consists of a general section containing general information about the person, and a specific section containing the information about types of physical and mental impairments. Also, an information system was created, which allows to make statistical reports based on various combinations of the collected data.

The Croatian National Institute of Public Health statistically processes all parameters collected on persons with disabilities, and the information is available on the website of the Institute to all interested persons.

Italy

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

The Ministry of Labour and Social Policies, Directorate-General for inclusion and social policies serves as the focal point for Italy, in co-ordination with other relevant ministries and departments, as well as regional and local authorities.

2. National strategies to implement the UNCRPD

The tasks assigned to the National Observatory aim at giving new and constant inputs regarding public policies in the field of disability and can be summarized as follows:

1. implementation of the UN Convention on the Rights of Persons with Disabilities, also through a detailed report on the measures taken, as provided by Article 35 of the Convention, in close co-operation with the Inter-ministerial Committee on Human Rights;
2. to set up of a two-year plan of action for the promotion of the rights and integration of people with disabilities, as provided by national and international provisions;
3. to collect statistical data on the situation of people with disabilities, with reference to the local peculiarities;
4. to set up a national report on the implementation of policies in the field of disabilities (as provided in national Law n. 104/1992);
5. to promote studies and researches that can contribute to the identification of priority areas of actions and programs for the promotion of the rights of people with disabilities.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

The ratification act of the UN Convention was adopted by the Italian Parliament by national Law n. 18/2009, also providing the establishment of a National Observatory (NO) in order to monitor the condition of people with disabilities. The National Observatory, which met for its official session on 16 December 2010, will also ensure the implementation of the activities provided by Article 33(2) of the UN Convention.

The Observatory is a collective body that will facilitate the constant link between government and people with disabilities and their families and supporting organizations, and the discussion on the various needs of people with disabilities in order to identify proper and joint solutions, based on an effective coordination of policies and programs.

The Scientific and Technical Committee (CTS) within the Observatory deals with scientific analysis in relation to the activities and tasks of the Observatory itself. The Committee meets

regularly since the first meeting of the Observatory; in 2011 it produced the methodological guidelines on the Observatory's several activities and functions.

On July 2011 six working groups were formed in order to deal with all major areas of reference set by the UN Convention on the Rights of Persons with Disabilities. It was thus confirmed that the research and analysis of the working groups, whose members are, by a large number, representatives of associations of people with disabilities, will contribute to the report under Article 35 of the UN Convention, in order to give maximum importance to the Convention provisions on the full participation of civil society and organizations representing people with disabilities throughout the monitoring process (Article 33(3)).

In November 2012, after approval by the NO, the State report on the implementation of the UNCRPD Article 35(1), has been transmitted to the UN through the Italian Interministerial Committee of Human Rights (C.I.DU.)

The first two-year *Italian Action Plan for the promotion of the rights and the integration of people with disabilities* (AP) was approved by the NO in February 2013 and then officially adopted on 4 October 2013. The 2014-2015 AP identifies the priority areas for actions and interventions for the promotion and protection of the rights of persons with disabilities, in order to achieve the overall objectives of the European Disability Strategy 2010-2020 and the UNCRPD. It is divided into seven action lines: 1) "Review of the access system, recognition / certification of disability"; 2) "Work and employment"; 3) "Policies, services and organizational models for independent living and inclusion in society"; 4) "Promotion and implementation of the principles of accessibility and mobility"; 5) "Education and school inclusion"; 6) "Health, right to life, habilitation and rehabilitation"; 7) "International cooperation".

The National Observatory was reconstituted on July 2014 and approved on November 2014 the three-year work program from 2014 up to 2016. The NO also decided to set up 8 new working groups as in the previous 3 year period. 7 of them will continue focusing on the same topics, while a new WG on reporting and statistical report was added. The WGs will focus on the monitoring of the 2014-2015 AP.

2. The involvement of civil society in the monitoring process - Article 33(3)

In the Observatory the following entities are represented: the administrative departments from the national level involved in the definition and implementation of policies in favour of persons with disabilities; regions and autonomous provinces of Trento and Bolzano; the local autonomies, i.e. provinces and municipalities; the national Institutes of social provisions and protection; the national institute of statistics; trade unions representing persons with disabilities, workers, retired people and employers; national associations representing persons with disabilities; organizations from the non profit sector dealing with disability issues.

The national organisations and federations representing people with disabilities have been involved in the decision-making processes on disability issues, at national, regional and local level. In 1992 the law n. 104/1992 introduced a National Conference on the policies for disability with the active participation of people with disabilities and their representative organisations. Organised every three years, the last Conference was held in Turin in October 2009. The law provides a Communication to the Parliament on the conclusions of the National Conference.

Until the ratification of the UN Convention, Italy lacked an institutional body for the permanent consultation of persons with disabilities. However, thanks to the National Observatory for monitoring the condition of people with disabilities, established by the national law for the ratification of UN Convention (Law 18/2009), mainstreaming strategy on disability issues will be thoroughly discussed there. It has to be underlined that within the Observatory 14 members out of 40 are representatives of organisations and federations of people with disabilities.

3. Collecting statistics and/or developing indicators - Article 31

A specific data collection related to the implementation of the Convention has not been launched yet. However, at www.disabilitaincifre.it, a website promoted by the Ministry of Labour and Social Policies in co-operation with ISTAT, the national institute for statistics, various data on Persons with Disabilities are available. The website is currently under development on the basis of a Protocol among the Ministry of Labour and Social Policies and ISTAT.

In December 2011 the General Directorate for inclusion and social policies of the Ministry of Labour and Social Policies, in accordance with the CTS guidelines, signed an agreement with the National Institute of Statistics (ISTAT) in order to fully comply with the provisions on statistics of Article 31. The agreement covers a series of activities such as, for example, the analysis of the life conditions of people with disabilities; an experimental analysis of the disability condition of children (0-17 years) through the inclusion of specific questions; a feasibility study for the preparation of a national registry of persons with disabilities, listed by gender, age, residence, type of disability to be used for statistical purposes; a system of specific indicators to monitor the level of social inclusion of people with disabilities, in accordance with the provisions of the UN Convention, and new statistical tools for mental and intellectual disabilities.

The agreement signed by the General Directorate for inclusion and social policies of the Ministry of Labour and Social Policies, in accordance with the CTS guidelines, with the National Institute of Statistics (ISTAT) continue in order to complete specific data collection and to update www.disabilitaincifre.it.

Cyprus

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

In Cyprus, the Department for Social Inclusion of Persons with Disabilities has been nominated as the focal point for the implementation of the Convention.

As coordination mechanism for the ratification, implementation and monitoring of the Convention was nominated the Pancyprian Council for Persons with Disabilities which operates in the framework of Persons with Disabilities Laws 2000-2007 and is the highest consultative body for the issues of persons with disabilities. The role of the Council is to consult the government as to the formulation, monitoring and implementation of social policies for persons with disabilities. The President of the Council is the Minister of Labour, Welfare and Social Insurance and its members are representatives of co-responsible for disability issues Ministries, Organisations of persons with disabilities, social partners (trade unions and organisations of employers) as well as independent persons.

Eight Thematic Technical Committees were established to facilitate the work of the Council. The Committees are coordinated by the Department for Social Inclusion of Persons with Disabilities and in each one all the main stakeholders are represented i.e. the contact points that have already been nominated by each responsible Ministry/Department/Service dealing with disability issues, a representative from the Office of Ombudsman and Human Rights Commissioner, as observer, the representatives of the Cyprus Confederation Organizations of the Disabled and representatives from any other involved entity of the wider public and private sector depending on the needs of the Committee. The UNCRPD National Network that has been set up consists of more than 80 representatives of public services, 10 representatives of the Disabled Confederation and 7 observers from the independent mechanism.

The eight Thematic Technical Committees are:

1. Technical Committee on Equality, non-discrimination, awareness and statistics.
2. Technical Committee on Accessibility of the Physical and Building Environment
3. Technical Committee on Accessibility of Transportation
4. Technical Committee on Information Accessibility
5. Technical Committee on Independent Living, Social Inclusion, Mobility and Social Protection
6. Technical Committee on Education and Vocational Training
7. Technical Committee on Health and Rehabilitation
8. Technical Committee on Employment

2. National strategies to implement the UNCRPD

The Council of Ministers in the Republic of Cyprus assigned to the Department for Social Inclusion of Persons with Disabilities the coordination of the formulation and monitoring of a

National Disability Action Plan. The first National Disability Action Plan 2013-2015 was formulated through consultation at the eight Thematic Technical Committees and was approved by the Council of Ministers on 26 July 2013. It contains 39 actions and 73 sub-actions under the 8 thematic areas. The Thematic Committees meet at regular quarterly intervals to monitor progress in the implementation of the action plan. The Cyprus Action Plan on Disability 2013-2015 is available at www.mlsi.gov.cy/dsid

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

By a Council of Ministers Decision on 9 May 2012, the Commissioner for Administration and Human Rights (Ombudsman) – Independent Authority for the Protection of the Rights of Persons with Disabilities in Cyprus has been nominated as the independent mechanism pursuant to Article 33(2) of the UN Convention.

2. The involvement of civil society in the monitoring process - Article 33(3)

The representatives of the Cyprus Confederation of Organisations of Persons with Disabilities are involved in the monitoring process through their participation at the Pancyprian Council for Persons with Disabilities as well as the eight Thematic Technical Committees for the implementation of UNCRPD. In addition, the representatives of the Confederation participate in a Consultative Committee to the Independent Authority of the Rights of Persons with Disabilities.

3. Collecting statistics and/or developing indicators - Article 31

There is no central Disability Database for the time being. Each state service collects its own statistical data according to the services provided to persons with disabilities. The Statistical Service also collects and issues data related to employment and social protection of persons with disabilities according to Eurostat requirements and standards.

Recognising the need for the establishment of national records on persons with disabilities in Cyprus in order to be able to formulate the appropriate policies, programmes and measures, the Department for Social Inclusion of Persons with Disabilities - has recently operated the new System for the Assessment of Disability and Functioning based on the International Classification of Functioning, Disability and Health of the World Health Organisation. The new System aims to provide credible and reliable information to all public services related to the needs and capabilities of persons with disabilities. The disability database will also enable the collection of statistics and the development of indicators related to the application of Article 31 of the Convention.

Latvia

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

The Ministry of Welfare of Latvia is directly responsible for disability policy in the area of social protection and at the same time in charge of monitoring the implementation and development of equal opportunities policy for disabled people in Latvia at large; as such, this ministry is the official focal point for matters relating to the implementation of the Convention.

According to the Law on Convention on the Rights of Persons with Disabilities from 28 January 2010, passed in the follow-up to ratification, the Ministry of Welfare is appointed as coordinating body for the implementation of the Convention.

This task is carried out by gathering information from other ministries and preparing respective annual reports, by keeping track of developments of other ministries' policy related to disability, and by taking into consideration complaints and ideas for the improvement of legislation in different areas. These are proposed by NGOs. The ministry then tries to solve these problems in cooperation with other involved ministries.

The National Council of Disability Affairs (NCDA), established by the Cabinet of Ministers, is used as a forum to carry out coordination and monitoring of the Convention. Chairman of the NCDA is the Minister of Welfare, and the Ministry of Welfare carries out the secretariat's function for the National Council of Disability Affairs (it plans the content and coordinates the work). The NCDA is an advisory institution that takes part in development and implementation of integration policy of disabled people. NCDA involves line ministers, Chairperson of the Latvian Association of Local and Regional Governments, Ombudsman, Chairperson of Public Utilities Commission, Director of Society Integration Foundation, President of Free Trade Union Confederation of Latvia and also representatives of key non-governmental organizations. Starting from 2009 the progress and challenges of implementation of the Convention has been discussed in every NCDA meeting. Every year specific items of the Convention, Article by Article, are included in every NCDA meeting's agenda.

Specific working groups are being established to carry out in-depth analysis, prepare reports and generate solutions and recommendations to be presented to the responsible ministries for further implementation. Working groups on legal capacity, employment matters, tackling accessibility matters have been established. The task of the latest working group will be finding bottlenecks and generating solutions of problems related to all kinds of accessibility and presenting results at the NCDA meetings on regular basis.

Coordination of implementation of the Convention is carried out also through several working groups formed by the Ministry of Welfare under policy guidelines and strategic plans.

Information about all NCDA meetings and relevant working groups is available at the Ministry of Welfare home page www.lm.gov.lv (in Latvian).

2. National strategies to implement the UNCRPD

Several strategic documents or advanced plans for a strategy directly devoted to the disability policy matters are already in place. Different ministries carry out implementation of the concept paper „Equal opportunities for all” (adopted by the Cabinet in 1998). The concept paper covers actions until 2010 within the following fields: health, education, employment, proper environment and social security. Planned actions for the implementation of this concept paper have to be included in the annual action plans of ministries. The Ministry of Welfare prepares each year the report on progress and presents it at the NCDA meeting. After 2010 an evaluation report has been prepared stating that the economic crisis that hit Latvia in 2008 particularly hard has negatively affected the implementation of several activities that were requesting additional public means. Nevertheless some progress can be observed and objectives that have not been reached are to be included in coming policy papers.

The „Basic Principles on Policy for Elimination of Disability and its Consequences, 2005-2015” elaborated by the Ministry of Welfare has been adopted by the Cabinet in 2005. This strategic document contains guidelines for preventing disabilities and the basic principles, objectives and priorities of state social protection policy for persons with disabilities. The implementation of this strategy is supported by the „Action Plan for Implementing the Basic Principles on Policy for Elimination of Disability and its Consequences 2005-2015”, adopted by the Cabinet in 2006. An aim determined in the Action Plan is to eliminate or to reduce the risk of disability for persons with threatened/prognosticated disability, to reduce the effect of a disability on persons with disability and to reduce the risk of social exclusion for all those persons. The Ministry of Welfare prepares each year the report on progress and submits it to the Cabinet.

The UNCRPD Implementation Action Plan 2010-2012, adopted by the Cabinet in October 2009, envisages initial steps for promoting the implementation of the Convention. Due to the significant financial restrictions caused by the recession, this plan includes only short term activities where additional financing is not required, or reduced to a minimum, or supported by EU financial instruments. One of the tasks of this Action plan is to elaborate the UNCRPD implementation programme for 2013-2019 which will be a comprehensive strategy to reach the UNCRPD objectives.

The Cabinet of Ministers on 23 November 2013 adopted strategic document (policy guidelines) “Basic Principles of Implementation of the Convention on the Rights of Persons with Disabilities for 2014-2020”. This strategy replaces previous policy guidelines and plans and thus create one comprehensive policy planning document. Two action plans to implement the policy guidelines have been drafted for 2014, and for 2015-2017, third action plan will be drafted for years 2018-2020. Action plans include concrete measures by line ministries and are targeted to promote equal rights and opportunities for persons with disabilities in health care, education, safety at work and civil protection, employment.

All above mentioned documents as well as annual reports on their implementation are available at the Ministry of Welfare home page www.lm.gov.lv (in Latvian).

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

According to the above mentioned Law on the Convention on the Rights of Persons with Disabilities, the Ombudsman office as the independent institution ensures monitoring of the implementation of the Convention. Representatives of the Ombudsman office participate in the above mentioned NCDA and in all working groups for the implementation of the Convention.

As the ministry is responsible for disability policy at large, it is also responsible for monitoring the implementation of the Convention. All line ministries are responsible for the implementation of their specific activities, according to their respective sphere of competence

2. The involvement of civil society in the monitoring process - Article 33(3)

Civil society, in particular persons with disabilities and their representative organizations, shall be involved through the NCDA and the above mentioned working groups. Starting from 2007, on a regular basis, the Ministry of Welfare organises meetings with DPO's to discuss practical and political issues.

Information about all meetings with NGOs is available at the Ministry of Welfare home page www.lm.gov.lv (in Latvian).

NGOs representing persons with disabilities have the opportunity to participate in the process of policy planning as well as monitoring of implementation. DPO's are involved in all working groups established by the ministry; they provide expertise and opinion on national legal acts and planned services. During the preparation of draft laws and regulations, and the development of amendments on existing legislation (for example, Policy Guidelines for Reduction of Disability and its Consequences, draft law On Disability and its sub laws, the conformity assessment of national legal acts to the United Nation Convention), the NGOs have played and continue to play a significant role.

The future strategic document "Basic Principles of Implementation of the Convention on the Rights of Persons with Disabilities for 2014-2020" is being elaborated in close cooperation with line ministries and DPO's.

3. Collecting statistics and/or developing indicators - Article 31

In Latvia the administrative statistical data which covers also disability matters, is collected and available in several institutions, depending on the respective policy area. It should be mentioned at this stage that the Ministry of Welfare has subordinate institutions (the State Social Insurance Agency, the State Employment Agency, the State Medical Expertise Commission of Health and Capacity for Work (Expertise Commission)) whose regular statistics are used to monitor disability policy. Besides, relevant data related to disability statistics are collected also by other ministries (for instance the Ministry of Education and Science, the Ministry of Health, the Ministry of Transport etc.) and, of course, by the Central Statistical Bureau (CSB). Some statistics are provided in the annual public reports of respective ministries, or institutions, via their home pages, and in the CSB publications. Data is mostly longitudinal.

The definition of disability in Latvia is related to the level of impairment and thus all the public services and entitlements are provided to the persons with disability status that is granted by the Expertise Commission. Accordingly whenever the statistics on disabled persons are collected they include persons with disability status. An exception are provisions for technical aids, which persons with different kinds of functional disorders are entitled to, not only persons with disability status.

The improvement of data collection for the total number of persons with disability is in progress: during the 2004-2006 EU structural funds' planning period the Expertise Commission, involving ERDF co-financing, created the disability information system, i.e. a unified database of disabled people. To continue the development of this database during the 2007-2013 EU structural funds' planning period the Expertise Commission, involving ERDF co-financing, has started a new project, "Digitalization of the archive data bases and implementation of e-services". One of the outputs of this project is an improved disability information system, which allows to obtain comprehensive and detailed statistical data distributed by gender, age, administrative region, as well as by diagnosis, covering all persons with disabilities (and also persons with anticipated disability), including also historical data, which previously was mostly available only in paper form.

In general, the above mentioned data sources are successfully used for policy formulation and monitoring of implementation. However, it is not sufficient for monitoring the implementation of the Convention because the available data cover multidimensional and multidisciplinary area of the Convention only partially.

Qualitative data based on research results is limited. Only some fragmented areas of disability are covered, mainly in some short term projects. These might give a broad picture on tendencies, but can not be used for a country wide evaluation.

Lithuania

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

As the UN Convention on the Rights of Persons with Disabilities was ratified on 27 May 2010, the coordination mechanism and focal points were designated by the Resolution of Government No. 1739 on 8 December 2010.

The Ministry of Social Security and Labour was designated as coordinating body and focal point for implementing the UN Convention. Other public authorities (the Ministry of Education and Science, the Ministry of Transport and Communications, the Ministry of Health, the Ministry of Environment, the Ministry of Economics, the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of the Interior, the Ministry of Culture, the Department of Physical Education and Sports under the Government of the Republic of Lithuania, the Department of Statistics and the Information Society Development Committee under the Ministry of Transport and Communications) were designated as sub-focal points for the implementation of UN Convention according to their competence.

2. National strategies to implement the UNCRPD

The Government of the Republic of Lithuania confirmed the National program on the social integration of the disabled for years 2013-2019 (further on called the Program) in November, 2012 in order to implement the The United Nations Convention on the Rights of Persons with Disabilities. The main aim of the Program is to try to create united environment and conditions for effective development of process of social integration of the disabled in Lithuania and to ensure the implementation of national laws which regulate social integration of the disabled, equal opportunities and implementation of The United Nations Convention on the Rights of Persons with Disabilities. Four aims and tasks are foreseen in the Program in order to accomplish it:

- 1) to ensure the satisfaction of special needs of the disabled with different disabilities offering the services of social integration (in fields of social security, health care and education);
- 2) to ensure the possibility for the disabled to move freely in physical environment and to use information which is available for all;
- 3) to seek for better engagement of the disabled in labour market, cultural, sports and leisure activities;
- 4) to ensure the protection of the rights and fundamental liberties of the disabled without enhancing the discrimination due to disability and to create conditions for improving the management of the process of social integration of the disabled.

The target changes to ensure the quality of life of the disabled

In the field of social security – the rise of „safe housing“ services for the disabled with mental illness; expansion of special social services ensuring life of the disabled in the community, family etc. In field of accessible physical and information environment – improvement of law regulation on public physical environment (buildings and objects); expansion of accessibility

of public buildings, objects and application of universal design principle; development of accessibility of living spaces for the disabled; for accessibility of information - use of new information and communication technologies to meet special needs of the disabled who have hearing, vision, mental and motion disabilities. Organizations which work in the field of social integration of the disabled and umbrella organizations of the disabled will be invoked in order to implement the Program.

Priorities and funds

While implementing the Program, priorities will be given to the development of social integration services and accessibility of public and information environment. Every responsible institution will plan funds for implementation of the Program measures from assigned general funds and it is also planned to use European Union structural funds.

According to preliminary calculations around 232 million euros will be needed in order to implement the Program. In 2013–2015, around 42 million euros (from the European Union structural funds and from the state budget) will be used for the provision of the Plan of Implementing Measures 2013–2015 of the Program.

The Plan aims at ensuring protection of the rights and fundamental freedoms of the disabled with different disabilities without discrimination on the grounds of their disability and creating favourable conditions for the improvement of the social integration process.

Social integration of the disabled and the quality of their life in society are ensured through measures such as adaptation of housing, payment of target compensations, support for disabled students, provision of technical aids, and promotion of tolerance. The projects of social rehabilitation services in the community and support of association activities, targeted at the integration of the disabled, are financed. When implementing the projects, accessibility of services to the disabled is developed, self-sufficiency of the disabled is enhanced, and the role of the non-governmental sector is strengthened.

Expected results

The Program and its implementation will ensure the realization of the UNCRPD and its optional protocols, solution of essential problems of the disabled and development of social integration policy measures for 7 years. Plan of measures for years 2013-2015 was approved in February, 2013 in order to implement the Program. This plan gives opportunities to solve the problems of social integration of the disabled according to the aims, arising problems and determined aspects of problem solutions of the Program. Seeking to successfully implement the policy of social integration of the disabled, the Plan of Implementing Measures 2016-2018 of the Program is being drafted.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

The Council for the Affairs of Disabled at the Ministry of Social Security and Labour (hereinafter referred to as the Council) and the Office of Equal Opportunities Ombudsperson perform the function of independent mechanism. The Office of Equal Opportunities Ombudsperson performs the function of protection and ensures that all the rights of disabled people are guaranteed. The Ombudsperson also takes actions so that violation of the rights of

persons with disabilities are stopped: the Ombudsperson accepts complaints, investigates them, solves problems, and writes comments to the Courts. The Council monitors the implementation of the UN Convention and in particular:

- Assesses the human rights situation in respect to disabled persons;
- Draws public authorities' attention to the violation of disabled rights;
- Helps to foresee measures to protect from human rights violation;
- Makes proposals for improving legislation and seeking to properly implement the Convention;
- Analyzes how provisions of the UN Convention are implemented.

2. The involvement of civil society in the monitoring process - Article 33(3)

The rights of people with disabilities are defended and represented by the associations of disabled persons. Decisions are taken after including the opinions and experiences of persons with disabilities.

The Ministry of Social Security and Labour has several subordinated bodies: the Department for the Affairs of the Disabled, the Service for Establishing Disability and Capacity for Work, the Dispute Commission, and the Centre for Technical Assistance for People with Disabilities. They organize regular meetings with relevant NGOs in order to ensure closer cooperation, distribution of information as well as resolution of existing problems. Relevant problems related to the establishment of ability-for-work and disability, determination of the need for professional rehabilitation services, ensuring equal opportunities etc. are issues discussed at these meetings.

As mentioned above, disabled persons are involved in the process of monitoring the implementation of the provisions of the UN Convention through representatives of non-governmental organizations of disabled people who take part in the activities of the Council.

The Council analyzes the most important issues in relation to the social integration of people with disabilities and submits proposals to the Minister of Social Security and Labour regarding the implementation of social integration policy relating to the needs of people with disabilities (after the ratification of the UN Convention, the Council also monitors its implementation).

The Council is composed, on a voluntary basis and according to the principle of equal partnership rights, of state institutions and representatives delegated from the Lithuanian Union of Persons with Visual Impairment, the Lithuanian Society of Persons with Hearing Impairment, the Lithuanian Association of Disabled, the Lithuanian Union of Persons with Disabilities, "Viltis" Association for Care for People with Intellectual Disorders, the Lithuanian Association for Care for People with Mental Disorders and the Paralympic Committee of Lithuania. They each have one main representative, at the level of either the president, the vice-president or the chairman.

The members of the Council representing state institutions are chosen within the Ministry of Social Security and Labour, the Ministry of Health, the Ministry of Education and Science, the Ministry of Environment, the Ministry of Communications, the Ministry of Interior and the Ministry of the Economy. They have one representative each - the vice-minister.

The purpose of the Council is to examine the key issues of social integration of persons with disabilities and to assist the Minister of Social Security and Labour and other Ministers in the implementation of the social integration policy. Decisions by the Council inform and advise the Minister of Social Security and Labour.

3. Collecting statistics and/or developing indicators - Article 31

The Equal Opportunities Division of the Ministry of Social Security and Labour (MSSL), acting within the scope of its competence, collects, systematises and analyses information about the implementation of the equal opportunities policy in Lithuania and abroad.

The Department for the Affairs of the Disabled at the Ministry of Social Security and Labour collects, on an annual basis, information and statistics related to the social integration of people with disabilities from the state, local authorities and organizations of people with disabilities. It also systematises and summarises them before notifying the Ministry of Social Security and Labour, state and local authorities and organizations of people with disabilities.

The Service for Establishing Disability and Ability-for-Work under the Ministry of Social Security and Labour draws up statistical reports on persons with disabilities and submits them to the Ministry of Social Security and Labour and to the Department of Statistics. The Service for Establishing Disability and Ability-for-Work under the Ministry of Social Security and Labour exchanges information and collaborates with individual healthcare establishments, the National Labour Exchange under the Ministry of Social Security and Labour, the State Social Insurance Fund Board under the Ministry of Social Security and Labour, local authorities, state institutions and other organisations in accordance with the provisions of the Law on Legal Protection of Personal Data.

Luxembourg

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

The Ministry of Family Affairs and Integration is the designated focal point within the Luxembourg Government for matters relating to the implementation of the Convention. It also fulfils a coordination role, cooperating closely, on matters relating to the Convention, with an ad hoc Steering Group representing different players within civil society.

2. National strategies to implement the UNCRPD

The 2009-2014 state agenda plans the development of an outline law on disability proposing a global concept of integration and non-discrimination of persons with disabilities. Simultaneously, the Ministry of Family Affairs and Integration has developed a national strategy to put in place the UNCRPD and the Optional Protocol to allow persons with disabilities to participate fully in all aspects of society.

The 2014-2019 state agenda focuses on (1) the accessibility (for everyone – in accordance with the Design for All principles) of public places and the built environment, (2) the access to transport for persons with disabilities, (3) the cooperation of all the ministries regarding disability issues, (4) the legal recognition of the German sign language (DGS), (5) the creation and support of new and innovative living arrangements for persons with disabilities which are likely to maximise their autonomy and (6) the support of disabled parents.

The analysis of the national legislation in relation to the ratification of the Convention was meant to identify possible laws which may be at the source of discrimination against persons with disabilities. The main findings were related to the accessibility of public services, to higher education as well as adults' legal protection.

In 2012 and 2013 the Ministry of Family Affairs and Integration conducted a number of different awareness campaigns. The focus is set on independent living and empowerment of persons with disabilities as well as accessible communication.

The principle objectives of the campaign are as follows:

- Informing persons with disabilities about the objectives of the Convention
- Raising awareness of the wider public on the rights of persons with disabilities, showing through various means (posters, adverts) that these rights equal general human rights.
- Providing information to the family members and officials from the social, education, health and care sectors on the UNCRPD.

Furthermore, the Ministry of Family Affairs and Integration is also cooperating closely, on matters relating to the UNCRPD, with an ad hoc Steering Group representing different players within civil society. Together with the Steering Group it is organizing, on a regular basis, working groups where persons with disabilities and all people interested in the subject can express their views freely and be directly involved in the decision making process related to the main subjects of the UNCRPD.

From March to December 2011, during four full-day Working Meetings, the Ministry of Family Affairs and Integration elaborated a national disability Action Plan. This was achieved together with civil society and in close cooperation with the other Ministries. The Action Plan contains short and mid-term actions and announces modifications of the relevant bills that aim to implement most of the crucial provisions of the UNCRPD. The Government has accepted the 5-Year Action Plan on 9 March 2012. It has been officially presented to the public on 28 March 2012 by the Minister of Family Affairs and Integration together with representatives of the different working groups. Thanks to the contributions of persons with disabilities, the document is now an Action Plan from persons with disabilities for persons with disabilities.

Disability Awareness Raising: in January 2013, the Ministry of Family Affairs and Integration, in cooperation with the ULC (Luxembourg Consumers' Union) and people with disabilities, created a calendar that contains pictures and information on the inclusion of persons with disabilities in all aspects of life. The calendar has been distributed to 60.000 households.

In Octobre 2013, the Ministry of Family Affairs and Integration broadcast four different disability awareness TV-spots on the main Luxembourgish TV-channel (RTL Luxembourg). They were created and produced in close cooperation with (non disabled) students and persons with disabilities.

In January 2015, the Ministry of Family Affairs and Integration will organise a national conference on the subject of "independent living" and new models of living arrangements for persons with disabilities, which are likely to maximise their autonomy.

In close cooperation with "Klaro" (www.klaro.lu), which is a new Communication Centre that focuses on "easy-to-read" documents, and "Info-Handicap", the Ministry has edited in 2013 a set of 5 leaflet on various forms of accessible communication, e.g. "guidelines for easy-to-read materials" and the creation of websites that are accessible to individuals with visual impairments, learning disabilities, and other conditions that may limit or prevent their access to electronic and web-based services.

With regard to the effective empowerment of persons with disabilities, the "Life-Academy" (www.ligue-hmc.lu) of the Ligue HMC", which is a mainly state funded association for persons with disabilities, is organizing workshops for persons with disabilities in order to explain their rights and to teach them how to speak in public, how to make their own decisions and how to stand up for their rights.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

The 2011 act on the approval of the UNCRPD³⁰ allocates the task of promoting and monitoring the Convention to the Consultative Commission of Human Rights of the Grand

³⁰ Loi du 28 juillet 2011 portant 1. approbation de la Convention relative aux droits des personnes handicapées, faite à New York, le 13 décembre 2006; 2. approbation du Protocole facultatif à la Convention relative aux droits des personnes handicapées relatif au Comité des droits des personnes handicapées, fait à New York, le

Duchy of Luxembourg. It will carry out that task jointly with the Centre for Equal Treatment, while the task of protecting has been allocated to the National Ombudsman.

The mission of the Consultative Commission of Human Rights is to promote human rights throughout the Grand Duchy of Luxembourg *inter alia* for persons with disabilities, while the Ombudsman is mainly dealing with citizens' individual complaints. As for the Centre for Equal Treatment, its purpose is to promote, analyse and monitor equal treatment between all persons without discrimination on the basis of race, ethnic origin, sex, sexual orientation, religion or beliefs, disability or age. The National Action Plan points out the necessity to set up further disability statistics in Luxembourg.

2. The involvement of civil society in the monitoring process - Article 33(3)

The “*Conseil supérieur des personnes handicapées*” is a national council which has its legal basis in the law of 12 September 2003 about the income of disabled people. It is composed of 11 members, of which five disabled persons, four representatives of organisations for persons with disabilities, one representative of the “Centre national d’information et de rencontre du handicap” and one of the Ministry of Family Affairs and Integration. It is allowed to take the initiative of giving advice on specific disability-related issues and it is bound to express its view on every single law or other disability-specific legal instruments and to advise the Minister on other issues on her request.

Furthermore, the Ministry of Family Affairs and Integration cooperates largely with Info-Handicap-Conseil National des Personnes Handicapées which represents Luxembourg in the European Disability Forum (EDF). It is a loose federation currently comprising more than 50 member organisations which are active in many different areas. Some members are major service providers, responsible for running large institutions, while others are very small self-help or support groups. One of Info-Handicap's main tasks is thus to identify shortcomings in these areas and seek solutions in cooperation with the authorities. It is also undertaking, on a regular basis, actions to raise awareness in the field of disability.

Consultations between the Ministry of Family and Integration and several organisations of and for disabled persons take place on a regular basis. This cooperation is of variable geometry depending on the questions and problems that need to be tackled.

The pillars of the policy for disabled persons are social inclusion and the participation at all levels as well as the maintenance and development of the personal autonomy and independence of persons with disabilities. An evaluation of the expectations and of the needs is necessarily carried out before the launch of a new project.

Another important tool used to foster empowerment of people with disabilities is the support of the Ministry of Family and Integration for umbrella organisations which coordinate the activities of a number of member organisations. For some years now, two of those organisations, namely Info-Handicap a.s.b.l. and “*Solidarité mit Hörgeschädigten*”, have been benefiting from a convention (that guarantees them regular subsidies) with the Ministry of Family and Integration for their information, consultation and training services.

13 décembre 2006; 3. désignation des mécanismes indépendants de promotion, de protection et de suivi de l’application de la Convention relative aux droits des personnes handicapées.

That same ministry is also cooperating closely, on matters relating to the UNCRPD, with an ad hoc Steering Group representing different players within civil society. Together with that “Steering Group” it is organizing, on a regular basis, task groups where persons with disabilities and other people interested in the subject can express their views freely and are directly involved in the decision making process related to the main subjects of the UNCRPD.

In November 2014, the Ministry of Family Affairs and Integration organised a meeting of the UNCRPD-focal points of all the Ministries, persons with disabilities and representatives of the beforementioned Steering Group. The subject of the meeting was a mid-term review of the National Disability Action Plan.

3. Collecting statistics and/or developing indicators - Article 31

The department for persons with disabilities of the Ministry of Family Affairs and Integration is reflecting upon and developing a common coherent strategy for a coordinated collection of statistical data. In the meantime, Luxembourg uses statistical data collected by different actors working with issues related to disability such as the *Service des Travailleurs Handicapés de l'Administration de l'Emploi*, the *Service de l'Education Différenciée*, *l'Assurance Dépendance et la Caisse Nationale des Prestations Familiales*. While collecting relevant data, the main problems encountered were the double citing of certain figures and the legal protection of specific data.

Through the careful analysis of past and current statistical data regarding the disability sector, the Ministry aims to estimate the number and types of new infrastructures and services required over the coming years.

Hungary

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

The National Council on Disability Affairs (NCD) was established by the act on the rights of people with disabilities in 1998. The NCD is an advisory body to the Government with the following rights:

- To take initiatives, make proposals, and provide consultation and co-ordination in all decisions related to persons with disabilities;
- To carry out analysis and evaluation in the process of implementing such decisions;
- To comment on draft legislation concerning persons with disabilities;
- To make proposals for decisions, programs and legislation affecting persons with disabilities;
- To be involved in co-ordinating activities related to the affairs of persons with disabilities;
- To brief the Government regularly about the situation of persons with disabilities;
- To elaborate the National Disability Program and monitor the implementation thereof.

According to the Statutes of the Ministry of Human Capacities, the tasks related to the implementation of human rights conventions belong to the Ministry's responsibility, and the Constitution on the Operation of the Ministry assigns the international issues connected to disability to the Department of Disability Affairs. This way the appointment of the central governmental actor is indirectly deducible, although no concrete, specified appointment has been done.

Regarding the composition of the NCD, some changes are likely in the near future. At present, an interministerial consultation is underway about the implementation of Governmental Decree No. 1158/2011 (V. 23.), as a result of which governmental members with the exception of the Chair would be withdrawn from the body. At the same time, the number of disability groups present in the NCD is expected to increase.

2. National strategies to implement the UNCRPD

The Hungarian Parliament adopted the National Disability Action Plan in 2006 for 2007-2013. In order to implement the DAP the Government adopted the Action Plan for 2012-2013. Although these legal and policy instruments were adopted before the ratification of the UNCRPD, they comply with the principles and main targets of the Convention to a large extent.

Furthermore, the following developments have taken place in relation to the implementation:

- The Hungarian Parliament adopted the Act No 125 in 2009 on the Hungarian Sign Language and the use of Hungarian Sign Language. This Act implements Article 9 (1)(b), Article 21, Article 24 (3)(b), (3)(c), (4).
- The Ministry of Human Resources coordinates the interministerial discussions on the legislation concerning the strategy and the tasks of the Government regarding the implementation of the transition from institutional care of disabled people (deinstitutionalisation). These measures will certainly contribute to the implementation of Article 19 of the UNCRPD. With the Governmental Decree No. 1257/2011, the

Hungarian Government has adopted the Strategy of the replacement of the large social institutions providing nursing and caring for persons with disabilities with community based settings (Deinstitutionalisation) 2011 – 2041 (hereinafter referred to as Strategy). Based on the decree, the Minister of National Resources (the legal predecessor of the Minister of Human Capacities) has established the National Body for Deinstitutionalisation (hereinafter referred to as Body). The Body is in charge of coordinating the tasks defined in the Strategy. Every three years, the Minister of Human Capacities proposes an Action Plan encompassing the realization of the Strategy scheduled for the three-year-period to the Government, which is also outlined by the Body. The realization of the task is supported by the EU development resource Code TIOP 3.4.1, which amounts to 7 billion HUF and aims at the deinstitutionalisation of 1500 capacities.

- On the assignment of the legal predecessor of the Ministry of Human Capacities, a National Autism Strategy was adopted in July 2008, under the technical guidance of the Hungarian Autistic Society. This five-year comprehensive plan for the development of services for people living with autism sets out medium-term targets and tasks in the field of diagnostics, professional staff training, education, development, employment, adult training and family support.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

The Governmental Decree No 1065 of 2008 (X.14.) assigned the task to promote, protect and monitor the UNCRPD to the NCD, taking into account that the NCD had also previously had the right and duty to follow up and comment governmental activities related to persons with disabilities as well as to monitor the implementation of the National Disability Program.

This solution is not fully in line with the UNCRPD since the NCD is not considered as an independent body because it is constituted by representatives of the relevant ministries and governmental organisations as well as representatives of the civil society. Nevertheless, the planned changes in the composition of the NCD as regulated in the Governmental Decree No. 1158/2011. (V. 23.) are expected to result in an even more articulated importance of civil society within the monitoring of the implementation of the UNCRPD. As mentioned, the concept is currently undergoing a public administrative consultation process and is planned to be proposed in the Parliament during the spring session 2013.

It is also important to mention that in 2009 the Hungarian Ombudsman for civil rights carried out an ex officio thematic review about the effectiveness of the rights of people with disabilities.

The deadline for the compilation of the first national report as required by Article 35 UNCRPD was 3 May 2010 for Hungary. Due to governmental restructuring the contributions from the different ministries arrived with a great delay, so Hungary asked for the extension of deadline until 15 October 2010. The National Report was prepared by that deadline and Hungary submitted it through the UN High Commissioner for Human Rights to the UN Commission on Human Rights. The Committee on the Rights of Persons with Disabilities reviewed the Hungarian report on the implementation of the Convention and adopted a 31-item list of issues requesting supplementary information on April 20 2012. The written replies

of Hungary to the list of issues have to be submitted within a month. The consideration of the report took place on 20-21 September 2012 in Geneva. The concluding observations of the Committee were adopted on 27 September 2012. Following the constructive dialogue with the Committee, as well as in accordance with paragraph 12 of the Concluding Observations, it is planned that the definition of persons with disabilities to be adopted during the ongoing revision of Act XXVI of 1998 on the Rights and Equal Opportunities of Persons with Disabilities will incorporate an inclusive definition of persons with disabilities that is firmly rooted in the human rights based approach to disability and encompasses all persons with disabilities, including those with psychosocial disabilities. However, it is to be mentioned that the proposal is still in the making and is planned to be introduced in the spring of 2013.

2. The involvement of civil society in the monitoring process - Article 33(3)

Civil society takes part in the monitoring process mainly through the National Council on Disability Issues, since it was officially appointed by the Government Decree mentioned above for the task of monitoring. Within the NCD, the national civil society organisations representing the main types of disability participate as permanent representatives, along with further elected civil members, and therefore civil society is fully involved in the process. The elected members from the non-governmental sector win their seats during a delegating meeting arranged on the basis of legislative regulation where the participants are exclusively those non-governmental organisations working for the benefit of persons with disabilities that do not have permanent seats in the Council. Thus, the NGOs elect these members from amongst themselves.

Every policy document, proposal, draft, etc. which deals with disability issues or may have an impact on people with disabilities, has to be submitted to the Council for further comments. Besides, during the elaboration of such documents, the relevant civil organisations are consulted about the draft proposals and provisions.

The National Council on Disability Issues has the right to discuss, comment all policy documents and draft legislation dealing with disability and/or having any impact on people with disabilities.

Furthermore, drafts of new legislation related to disability are also discussed separately with the professional and advocacy organisations mainly concerned.

3. Collecting statistics and/or developing indicators - Article 31

In the course of a national census there are always questions concerning the status of being disabled and the type of it. Given the fact that disability and information related to it are so called sensitive data, the declaration on it is voluntary. This means that the validity of statistics compiled on this base is doubtful. For measuring the implementation of international conventions, including mainly the UNCRPD, the legal predecessor of the Ministry of Human Resources developed a specific system of indicators. By using this set of tools it is considered possible to get a more realistic view on the social process affecting people living with disabilities.

In April 2013, the Hungarian Statistical Office (*Központi Statisztikai Hivatal, KSH*) should publish the official results of the 2011 census where more detailed questions were asked regarding different types of disability in comparison to previous years.

Malta

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

The Disability Matters Act was approved by the Maltese Parliament on 26 March 2012 and came into effect in mid-April. It includes amendments to the Equal Opportunities (Persons with Disability) Act. These amendments include the identification of the Ministry responsible for Social Policy (currently the Ministry for Family and Social Solidarity). The Parliamentary Secretariat for Disability and Active Ageing (PSDAA) is the cabinet portfolio, operating within the Ministry for Family and Social Solidarity. In accordance with article 33 of the Convention the Focal Point office has been established within this secretariat for the coordination of matters relating to the implementation of the Convention. It has appointed representatives in all ministries, entities and departments and boards so that effective coordination of future policy implementation can be achieved. The Manager for the Focal Point Office for the Rights of Persons with Disability was appointed in April 2014.

2. National strategies to implement the UNCRPD

By the end of the year 2014, the Parliamentary Secretariat for Persons with Disability and Active Ageing, will launch the first National Disability Policy, which will be in full compliance with the UNCRPD. This will be followed up by a national strategy to implement the national policy.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

The NCPD has been established as the independent mechanism for audit of the implementation of the Convention. A Disabled Persons Advisory Committee consisting of persons with a wide range of impairments has been established, in fulfilment of article 4 and article 33 to ensure that people with disability are involved and participate fully in the monitoring process of the Convention.

2. The involvement of civil society in the monitoring process - Article 33(3)

To date, several seminars and conferences have been held with representatives of disability organisations and other stakeholders in order to disseminate information about the Convention. The text of the Convention has been produced in accessible formats through EU funding. To date, it is available in audio, Maltese, easy-to-read Maltese versions, and in Maltese Sign Language.

The National Commission for Persons with Disability (*KNPD*) has the legal capacity to promote and raise awareness of disability issues and has now been identified as the independent mechanism for the Convention. The Commission is composed of not less than fourteen members. Seven of the members shall be appointed from amongst such persons appearing to the Prime Minister to best represent the Ministries responsible for Social Policy, Labour, Health, Education, Housing and Economic Planning. Another seven of the members

shall be appointed from among such persons who, in the opinion of the Prime Minister, best represent voluntary organisations working in the field of disability issues. Furthermore, half the board members must themselves be persons with disabilities, or family members of persons with a mental disability. Either the chairperson, or the vice chairperson must be disabled himself or he must be related to a person with a mental disability. More than half of the employees of the KNPDP's secretariat have disabilities.

The KNPDP has a comprehensive programme of empowering persons with disability. KNPDP organises regular awareness-raising campaigns with the direct participation of persons with disability and often with EU funding. These include an annual national conference and the Parliament of Persons with Disability. KNPDP organises training for persons with disability to assume these roles and tasks, as well as disability studies and lectures, mainly for university students. These sessions always include the direct involvement of persons with disability, in both the curriculum design as well as lecture-delivery. Disability Equality Training is also provided to public and private organisations and community groups. KNPDP, on a regular basis, includes persons with disability when participating in activities organised at EU level (e.g. annual Conference organised to mark the European Day of Persons with Disability in December).

KNPDP held extensive consultations with regard to the published draft report entitled 'Working Towards the Implementation of the UNCRPD', including disabled people and their representative organisations. One of the proposals contained therein is for the setting up of a Disabled People's Advisory Committee which is to be involved in KNPDP's work of monitoring the implementation of the UNCRPD. Moreover, it is anticipated that the Access for All guidelines are upgraded to the status of Standards in December 2014 and subsequently become part of Maltese law in 2015.

3. Collecting statistics and/or developing indicators - Article 31

Both the Focal Point and KNPDP, together with the Parliamentary Secretariat for Persons with Disabilities and Active Ageing collects statistical data. Other government bodies such as the National Statistics Office, also carries out statistical data. Currently the Focal Point office is discussing different methodologies possible for statistical data collection which will have a direct reference to the UNCRPD. Future data collection will be informed by the requirements of the UNCRPD.

The Netherlands

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

It is proposed that after the ratification of the UNCRPD the focal point will be the Ministry of Health, Welfare and Sport. The coordination mechanism consists of an interministerial Steering Group in which all relevant government departments and other government levels (local and provincial) as well as organizations from civil society are represented.

2. National strategies to implement the UNCRPD

Equal treatment and mainstreaming of issues relevant for persons with disabilities are the basic conditions for policies on a local and national level. The Government and the Parliament also assess policies on this aspect. An implementation plan for the Convention will be set up the coming months in close cooperation with civil society, municipalities, representation of the employers and entrepreneurs.

Moreover, some measures have already been taken for the implementation of the UNCRPD:

Two laws are necessary for the ratification of the Convention: the Approval Act and Introductory Act. The Introductory Act contains all changes necessary in Dutch laws to implement the Convention. To comply with the CRPD, two Acts have been adjusted: equal treatment Act on ground disability and chronic illness (elaboration with the area goods and services: the obligation for reasonable accommodation will be applicable at the area goods and services) and the Act on voting (assistance of people with disabilities in the votingprocess)

The Netherlands government intends to move towards a participation society, motivated by:

- A trend in society itself: the more and more empowered and independent people.
- Austerity measures to reduce the budget deficit.

This is in particular tangible in the longterm care, since for the care and support of vulnerable people a greater appeal is being made of people from the own network and setting.

This requires another organization of both the care that is given by professionals as the support that is offered by their own family.

In recent years, various tasks have been transferred from central government to local authorities. For example, powers in the field of social security, youth care, long-term care and employment support are being transferred to municipalities.

One of the advantages of such decentralization, is the possibility of supplying services in a manner that is more adapted to local specificities and individual needs. So there is a central role for municipalities.

The Participation Act has entered into force. This act targets people with a disability, who are more than on average unemployed. With this Act there will be one scheme for all people who are able to work, but who cannot find a job on their own.

In line with the many decentralization measures currently being implemented in the Netherlands, the responsibility for the implementation of this Participation Act will be placed at the level of municipalities. Municipalities are closest to the citizens and are better informed and equipped to offer tailor-made support for those who need it. Part of the Participation Act is to stimulate employers to hire people with a disability. This is done by wage-dispensation and a mobility bonus. The wage compensation is a government paid supplement to the wages employers pay for employees who - as a result of their disabilities - cannot meet the requirements or level of labor. Employers will hence not have to pay the statutory minimum wage. The mobility bonus entails a discount on the social insurance contributions which employers are fiscally required to pay. This mobility-bonus has been implemented since 1 January 2013.

Besides these stimulating measures, the government also aims to transfer a sense of responsibility to employers and requests a more vigorous contribution to active inclusion. Therefore, the government anticipates to gradually introduce a quota system for companies with 25 or more employees as of January 2015. The aim is that over the course of 6 years, 5% of the employment pool of these companies shall consist of persons with a disability. If this requirement is not met, the employer will be sanctioned with a fine.

Social support Act

Goals

- Stimulate self-sufficiency of all inhabitants
- Stimulate participation in society
- Stimulate civil society/social cohesion
- Support independent living of people with physical or other disabilities

Long term care reform

- What can people still do themselves instead of what they can not do. Quality of life is leading.
- Self-support and social support from the own network will be used before professional health care.
- People who don't have enough possibilities for support from their network can always count on support from the municipality.
- Vulnerable elderly or disabled people receive (professional) care from on the basis of the Long term care Act.

At local level many municipalities have started different stimulating programs, such as Agenda 22 in the municipality of Utrecht. This is a working method that has been derived from the 22 rules that the United Nations drafted. This working method means that the city of Utrecht involves disabled people actively in its policy. This includes the accessibility of buildings, access to public transport and better readability and usability of various forms for people with intellectual disabilities. This agenda seeks to ensure that all people of Utrecht, with and without disabilities, can participate in society.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

The Netherlands have designated the National Human Rights Institute (NHRI) as the independent mechanism for promoting, protecting and monitoring the UNCRPD. To set up the NHRI, a law has been approved by Parliament

2. The involvement of civil society in the monitoring process - Article 33(3)

After ratification, the National Human Right Institute will involve civil society in the monitoring process.

Furthermore, civil society is monitoring the implementation of the UNCRPD when asked for an opinion in the process of drafting new legislation and policies relevant to persons with disabilities. To this end, strong relations between several government departments and civil society have been formalized. Monitoring of the UNCRPD also takes place within the ambit of several formal advisory bodies to the government in which civil society is represented. These bodies advise the government on major policy subjects. Civil society in the Netherlands is well organised and receives government funding for its work on empowering persons with disabilities, also with a view to monitoring governmental action.

On a local level, municipalities are legally obliged to establish a formal advisory and monitoring structure for persons with disabilities in the area of labour and social support. Furthermore, municipalities create “platforms” for persons with disabilities to advice local authorities, shopkeepers’ associations service providers etc. on any issue relevant for persons with disabilities. These platforms are supported by a national program funded by the government and aiming at the empowerment of persons with a disability.

3. Collecting statistics and/or developing indicators - Article 31

A “participation index” has been developed to measure the level of participation of persons with disabilities. This index includes indicators on education, labour, leisure, housing and the level of using mainstream provisions.

Austria

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

In Austria, the Federal Ministry of Labour, Social Affairs and Consumer Protection is the Focal point at federal level. This ministry is also responsible for coordinating the implementation of the UN Disability Rights Convention in Austria. On 24 July 2012 the government has adopted a **National Action Plan on Disability 2012-2020** – Strategy of the Austrian Federal Government for the Implementation of the UN Disability Rights Convention – "Inclusion as a Human Right and a Mandate (NAP Disability)".

2. National strategies to implement the UNCRPD

In accordance with Article 35(1) of the UNCRPD, Austria drew up its **First State Report** for the United Nations in October 2010. On the basis of numerous contributions from governmental and non-governmental organisations, this comprehensive report reflects the measures taken to fulfil the obligations from the agreement.

Based on this report, the purpose of the **National Action Plan 2012 to 2020** is to promote and to implement the UNCRPD. The **Federal Ministry of Labour, Social Affairs** and Consumer Protection, in its function to coordinate disability policy in Austria, was responsible to set up the National Action Plan. The draft of the Action Plan was presented in January 2012. The **Federal Disability Advisory Board** was involved in the process of setting up the plan from the beginning. In order to involve all stakeholders, the plan was established in close cooperation with civil society.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring -Article 33(2)

The 2008 amendment to the Federal Disability Act established the Independent Monitoring Committee. The Monitoring Committee is also represented in the Federal Disability Advisory Board at the Federal Ministry of Labour, Social Affairs and Consumer Protection with representatives from the federal government, the nine "Länder" as regional authorities, the social insurance institutions, disability organisations, social partners and the Disability Ombudsman.

The Independent Monitoring Committee has started to work on implementing the UNCRPD in 2008. Since December 2008 the Committee has held 71 meetings, 12 of them were public with following agendas: occupational therapy, inclusive education, violence and abuse, models of personal assistance, supported decision making, personal budget, accessible education for all, health care for all, recommendations of the UN-Committee, accessibility of official channels, de-institutionalisation.

The Committee also treats individual complaints. Furthermore, it regularly gives a written and published expert opinion on a current disability policy issue (e.g. inclusive education, occupational and work therapy, violence and abuse, personal assistance, legal capacity and

supported decision-making) and makes recommendations. Although the Independent Monitoring Committee is only responsible for the federal level, it also deals with requests at the regional level if no other monitoring unit is in charge.

Freedom from exploitation, violence and abuse – Preventive Mechanism - Article 16(3)

Article 16(3) of the UNCRPD contains the obligation to effectively monitor all facilities and programmes intended for people with disabilities by independent authorities in order to prevent exploitation, violence and abuse. In December 2011, Parliament decided to regulate this **mechanism to prevent violence** jointly with the implementation of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) and to link it to it.

With effect as of 1 July 2012 with the **Austrian Ombudsman Board** (with at least six interdisciplinary and multi-ethnic commissions) a national mechanism to prevent torture as well as an independent authority according to Article 16(3) of the UNCRPD was installed. The commissions will be able to carry out monitoring visits (also unannounced) throughout the country. The Ombudsman Board and its commissions have to be granted unrestricted access to all facilities and programmes for people with disabilities and be provided with all relevant information.

In April 2012 a **Human Rights Advisory Board** was established at the Ombudsman Board as a purely advisory body. Its members and substitute members were proposed equally by NGOs and federal ministries. People with disabilities are also represented in it.

2. The involvement of civil society in the monitoring process - Article 33(3)

The Independent Monitoring Committee is solely composed of members from civil society. In fact, the members of the Committee are representatives from disability organizations, human rights organizations, development organizations and representatives of academic institutions.

Representatives of disability organisations are involved in many boards of the Federal government (for example protection against dismissal of people with disabilities, most second level authorities in matters of people with disabilities).

The Federal Disability Advisory Board has to be heard by the Federal Minister of Labour, Social Affairs and Consumer Protection in all important issues concerning people with disabilities.

Furthermore, there are various tools and methods used in Austria to foster the empowerment of people with disabilities:

- Experts' opinions on laws
- Support in all questions about equal rights
- Raising public awareness: events, campaigns, reports, brochures
- Brochures in 'Easy-to-read'-versions
- Empowerment-programmes financed by the Federal Ministry of Labour, Social Affairs and Consumer Protection
- Working groups with representatives from all stakeholders, including the disability NGOs
- 'Peer-Groups'

3. Collecting statistics and/or developing indicators - Article 31

The National Action Plan 2012-2020 refers to the necessity to set up further disability statistics in Austria. The plan also contains some disability indicators such as the unemployment quota of people with disabilities.

Poland

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

The function of the focal point is the responsibility of the Ministry of Labour and Social Policy which is a competent body in this field according to Polish law. The focal point gathers and analyses information from various institutions necessary for elaborating the governmental reports on implementation of the Convention, consults drafts of the reports with social partners and NGOs and prepares them for submission to the Council of Ministers for approval. The focal point is also responsible for international contacts with the UN and the EU institutions/bodies on matters relating to the Convention.

The Ministry of Labour and Social Policy is also responsible for coordination of the implementation of the Convention. Its activities in this scope consist in verifying whether the Convention's provisions are taken into account during the processes of law making, policy making and development of programmes as well as proposing to remedy any identified incompatibilities or infringements. In October 2013 the Minister of Labour and Social Policy established (according to his Ordinance of 28 August 2013) a Team for the Implementation of the Provisions of the Convention on the Rights of Persons with Disabilities, which is his subsidiary body and acts as a coordinating mechanism as defined in Article 33.1 of the Convention. The Team is composed of representatives of the ministries involved in the implementation of the Convention and chaired by the Government Plenipotentiary for Disabled People. The Team's meetings are also attended by representatives of other institutions and non-governmental organisations invited as experts or persons interested in the subject of the given meeting.

Performing coordination duties is possible with the support from relevant ministries and institutions which provide the Team with information on activities associated with the implementation of the provisions of the Convention and information on any planned changes to existing legal solutions, which are relevant to disabled people or may affect their situation.

2. National strategies to implement the UNCRPD

The adoption of any special strategy to implement the UNCRPD is not envisaged. The analysis of the national legislation carried out before the ratification (2008-2011) by the Ministry of Labour and Social Policy, in collaboration with relevant ministries, resulted in assessment of its compatibility with the provisions of the Convention (with some exceptions spelled out in the reservations to the Convention). Therefore the implementation of the Convention is possible by performing tasks stemming from existing legal regulations. Ongoing monitoring of the legal provisions and situation of persons with disabilities enables formulating proposals on necessary changes of legal provisions.

Relevant Ministries apply the principle of disability mainstreaming and include disability issues into legislation, programmes and action plans.

In 2012, to promote provisions of the Convention the Ministry of Labour and Social Policy published the text of the Convention in the Polish language on the Ministry's website (www.mpips.gov.pl, a dedicated tab), as well as a version accessible for the visually impaired,

an overview of the Convention and of the process of its ratification by Poland. At present, the website contains also the first report on the implementation of the Convention.

The Ministry has published a children-friendly Polish-language version of the text of the Convention (available on www.niepelnosprawni.gov.pl). The website includes also link to a Polish-language overview of the Convention in an easy-to-read format, prepared by the Polish Association for Persons with Mental Handicap. The audio version of the Polish text of the Convention is also available on the website www.niepelnosprawni.gov.pl.

The Government Plenipotentiary for Disabled People, who is at the same time the Secretary of State in the Ministry of Labour and Social Policy, closely cooperates with the National Consultative Council for Disabled People on matters concerning implementation of the Convention. The Polish Disability Forum (an umbrella organisation for DPOs) and some DPOs and NGOs are represented in the National Consultative Council for Disabled People. The Plenipotentiary cooperates also with *inter alia* the Coalition in favor of Persons with Disabilities which gathers 42 DPOs and NGOs active in the field of disability and with the Foundation “Regional Development Institute” that provides its valuable expertise in this field.

The Government Plenipotentiary for Disabled People, as the vice-president of the Polish Council for Sign Language (established according to the Act of 19 August 2011 on the sign Language and other forms of communication), benefits also from the cooperation with experts being members of the Council. The statutory tasks of the Council include *inter alia* preparation of the opinions on the drafts of governmental documents in the scope concerning functioning of persons with special communication needs, supporting initiatives which promote solutions for the benefit of such persons and defining proposals in this scope.

The non-governmental organizations of persons with disabilities or representing them are involved in the implementation of the UNCRPD not only on the national but also regional and local level, especially pursuing programmes and projects in favor of persons with disabilities. The Polish Government and the self-government authorities have been called upon by the Sejm to undertake activities aiming at implementing the rights mentioned in the Resolution - Charter of the Rights of Persons with Disabilities passed on 1 August 1997. The implementation of these rights aims to enable persons with disabilities to lead an independent, self-reliant and active life and not to be discriminated in any area of life. These goals reflect the goals of the Convention. In the Resolution, the *Sejm* called upon the Government to submit annual reports on these activities. The reports are prepared in cooperation with various Ministries and central offices and presented to the *Sejm* by the Government Plenipotentiary for Disabled People, situated within the Ministry of Labour and Social Policy. It should be mentioned that, according to the Resolution, the Government Plenipotentiary for Disabled People annually informs the *Sejm* on actions undertaken by the Polish Government and local authorities to implement the rights of persons with disabilities defined in the Resolution. This is followed by the Parliamentary debate on the developments in increasing the opportunities of persons with disabilities in the most important areas of daily life, and on questions of avoiding and eliminating any kinds of discrimination of people with disabilities. The last such debate took place on 8 February 2013.

B. Monitoring the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

The Human Rights Defender performs tasks of the independent monitoring mechanism mentioned in Article 33(2) of the UN Convention. The Human Rights Defender operates in compliance with the Paris Principles, which establish standards required for independent status and functioning of National Human Rights Institutions (NHRIs). The International Coordinating Committee on NHRIs determined the accreditation status of the Human Rights Defender by awarding him an "A" status, thus recognizing the Human Rights Defender's independence and impartiality in light of a universal international standard.

The Human Rights Defender undertakes actions in the following areas:

- prevention and monitoring,
- intervention,
- information and promotion

and undertakes actions designed to ensure participation of a civil society in the monitoring process concerning the implementation of the Convention, including cooperation with non-governmental organisations.

2. The involvement of civil society in the monitoring process - Article 33(3)

Involvement of civil society in the process of implementation and monitoring of the UNCRC is ensured on the basis of common legal regulations which are already in force.

According to the Act on access to public information, any person has the right to obtain information from public authorities and to request access to the official documents elaborated, *inter alia*, by the public authority bodies.

The representatives of people with disabilities are consulted within the framework of decision-making processes conducted with the participation of:

- the National Consultative Council for Disabled People (on the national level), which is an advisory body of the Government Plenipotentiary for Disabled People and acts as a platform of cooperation to the benefit of persons with disabilities between bodies of national administration, bodies of territorial self-government and non-governmental organisations. The scope of activities of the Council includes the submission to the Plenipotentiary of proposals for actions aimed at meeting the needs of people with disabilities. It also includes the submission, upon the Plenipotentiary's request, of opinions on the proposals for underlying principles of policy concerning employment and vocational and social rehabilitation of persons with disabilities and on legislative projects that can affect the situation of persons with disabilities, as well as informing on the need to establish or change the regulations in this respect;
- the voluntary voivodship councils for persons with disabilities (on the regional level), which are consultative and advisory bodies serving the marshals of voivodships; their task is to inspire actions aimed at vocational and social rehabilitation of persons with disabilities and exercising the rights by persons with disabilities, to issue opinions on the voivodship programmes of action for the benefit of persons with disabilities, to evaluate their implementation as well as to advise on draft resolutions and programmes prepared for adoption by the voivodship parliament from the perspective of their impact on persons with disabilities;

- the voluntary powiat (district) councils for persons with disabilities (on the local level), which are consultative and advisory bodies serving the starostas; the scope of their activity is powiat-wide and their tasks are similar to those of the voivodship councils.

Consultative and participatory techniques are used to raise the awareness, also of the local self-governments, concerning equal treatment and non-discrimination of persons with disabilities and aim at supporting the incorporation of their needs as well as the integration of persons with disabilities during upbringing and education (starting from pre-school age). People with disabilities participate in the various evaluation and advisory bodies. Seminars conferences, media campaigns and other actions are organized.

The Human Rights Defender has established the Commission of Experts on Persons with Disabilities which members are professionals or social activists closely connected with various DPOs or work for the Office of the Human Rights Defender. The members of the Commission are strongly involved in the monitoring of the implementation of the Convention.

On 8 October 2012 the Human Rights Defender organized the meeting to present the report on "Equal Opportunities in Access to Education for Persons with Disabilities". The meeting was attended by members of the Parliament, representatives of: the Children's Rights Defender, the Ministry of National Education, the Government Plenipotentiary for Disabled People, non-governmental organisations, media, as well as parents of children with disabilities. Debated topics included, *inter alia*, implementation of the UN Convention on the Rights of Persons with Disabilities, modification of the system for support of students with disabilities. Policy recommendations on desired actions to be taken to improve access to education were also presented.

On 31 January 2013 the Human Rights Defender organized the debate on the rights of persons with disabilities on the labour market with the participation of experts in the field of disability, persons with disabilities and representatives of NGOs and public administration. During this meeting the Human Rights Defender presented also a monograph "The most important challenges following the ratification of the UNCRPD by Poland" published at the end of 2012, which is the selection of nine Articles written by her staff or by experts who cooperate with her. The Articles concern protection of various rights of persons with disabilities. Articles describe international standards in the field of legal protection and preventing discrimination on the ground of disability, analyse the present national legal context and define specific recommendations addressed to public institutions, setting up new, ambitious directions of development in the most important areas of the social and public life.

Various civil society organisations use their experiences and knowledge acquired hitherto during involvement of their members in monitoring of the implementation of the Convention to prepare shadow reports.

This is the case of DPOs and NGOs, which participate in the project managed by the KSK Foundation that started in September 2014 with the aim to jointly elaborate shadow report. Earlier, on 30 April 2014, one of the organisations taking part in this project, namely the Foundation Regional Development Institute (the Polish abbreviation: FIRR), in partnership with other NGOs, started project on civil monitoring of the CRPD. During one year since 1 September 2014 there is possible to notify on infringements or submit information on good practice especially in such areas as work and employment, education, social security, accessibility of information and public space, using the project website

(www.monitoringobywatelski.firr.org.pl). The experts involved in the project may undertake interventions on the basis of received notifications and inform responsible authorities on infringements.

The Polish Disability Forum (an umbrella organisation for DPOs) provides discussion forum “In the future with the Convention” on its website to collect information and enable sharing opinions, especially of persons with disabilities, their families and friends, on implementation of the Convention provisions.

3. Collecting statistics and/or developing indicators - Article 31

The need to collect additional statistical data or to develop indicators in view of monitoring the application of the Convention is still under consideration.

Programmes of statistical surveys within Polish public statistics already include collection of the data further allowing development and implementation of the State's policy for disabled people in the area of:

- population, demographic processes,
- labour market,
- remuneration, labour cost and social benefits,
- living conditions of population, social assistance,
- education,
- culture,
- health and health care,
- tourism and sport.

The National Census of Population and Housing of 2011 enabled to obtain data on disabled people by sampling (20-percent random housing sample) on the basis of voluntary answers to questions. Information on (biological or legal) disability was based on a respondent's free declarations.

The Labour Force Survey is conducted on a quarterly basis. Its findings are presented in publication "Labour Force in Poland" which includes the following information concerning disabled people:

- economic activity of disabled people over 16 as related to a degree of disability, type of household, selected demographic characteristics,
- categories of employed disabled people according to work time and degree of disability, work time and Polish Classification of Activity, employment status,
- unemployed disabled people according to categories of the unemployed, job search period, job search methods,
- categories of professionally inactive disabled people according to causes of professional inactivity and degree of disability.

In 2011, the Central Statistical Office of Poland (GUS) conducted survey "Disabled people on Labour Market in 2011". The survey findings were published in 2013 (www.stat.gov.pl/gus/5840_13867_PLK_HTML.htm). The main objective of the survey was to collect comprehensive and comparative set of data on employment of disabled people to ensure monitoring of progress in implementing Article 27 of the CRPD and goals of the

European employment strategy and European disability strategy, as well as assess changes in participation of disabled people in labour market.

In 2013, GUS released publication "Population. Socio-economic status and structure" which contained current data and characteristics of disabled people: disability categories, education level, marital status, sources of upkeep and economic activity.

Examples of other surveys designed to collect data on disabled people:

- study on employed persons in national economy,
- study on labour demand,
- study on health care in households,
- study on social assistance and system of foster care,
- study on education,
- study on participation in culture,
- study on participation in sport and physical recreation,
- study on household budgets.

The Electronic National System for Monitoring of Disability Assessment contains data on:

- persons who applied for a disability certificate for other than insurance purposes or their statutory representatives,
- issued disability certificates,
- persons in a disability assessment and certification team who work on the basis of employment contract or civil law contract,
- costs of operations of a disability assessment and certification team.

The data on persons with disabilities are available on the website www.niepelnosprawni.gov.pl .

Portugal

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

Portugal ratified the UNCRPCD in September 2009. According to the latest Portuguese Government proposal, the Focal Point will be situated within the Ministry of Foreign Affairs and the Ministry of Solidarity and Social Security. The National Institute for Rehabilitation is the Coordination Mechanism. And finally, the Ombudsman will be invited to integrate the Independent Mechanism at national level.

2. National strategies to implement the UNCRPD

Currently national authorities from several ministries and disability NGOs are working on the definition of a new disability strategy in order to succeed the former National Disability Strategy 2011-2013. The New Strategy will have in consideration the UNCRPD, the results achieved by the National Disability Strategy 2011-2013, the inputs made by stakeholders and civil society. The Ministry of Solidarity, Employment and Social Security is leading this process. The new strategy intends to promote a wide partnership between public and private entities, central, regional and local administration, social partners, persons with disabilities, NGOs and the civil society in general and will be implemented until 2020 in line with the European Disability Strategy 2020.

Currently the National Plan for the Promotion of Accessibility 2006-2015 is being implemented and intends to provide conditions for persons with disabilities in order to ensure autonomy, equal opportunities and full participation. This plan incorporates several measures of accessibility in the built environment, transportation, ICT and supportive technologies. The National Plan for the Promotion of Accessibility will be prorogated until 2020.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

Portugal has not yet nominated an independent mechanism as mentioned in Article 33(2) of the UN Convention. This nomination awaits Government approval and publication of the respective Regulatory Decree.

2. The involvement of civil society in the monitoring process - Article 33(3)

The 38/2004 law ensures full participation of people with disabilities or their representative organisations in the drafting of legislation on disability, execution and evaluation of all policies mentioned in this law, so as to ensure their involvement in all situations of everyday life and society in general.

The technical and financing program of the National Institute for Rehabilitation, I.P. for NGOPD has been developed in the framework of the Convention on the Rights of Persons with Disabilities since 2009. This Financial Program has contributed to developing civil society activities in different areas as cultural and leisure activities, empowerment and awareness, accessible and easy to read information on human rights and technical seminars.

The National Institute for Rehabilitation I.P. undertook some initiatives (i.e. conferences/seminars/presentations) in order to disseminate the UNCRPD and has a training program for specific groups (persons with disabilities, local communities' architects and social workers, journalists and public servants). It even published a children's version of the UN Convention and a manual for parliamentarians about the implementation of the Convention. All documentation is available and can be freely consulted on the institute's website [institute \(www.inr.pt\)](http://www.inr.pt)).

The involvement of NGOs is also guaranteed through the the Disability Commission, which was recently created and is replacing the National Council for the Rehabilitation and Integration of the People with Disabilities. Its mission is to advise the Minister of Solidarity and Social Security for the issues related with rehabilitation and rights of the persons with disabilities., providing the Government with information used in deciding on matters related to the definition of the National Rehabilitation Policies.

The Commission is composed by the member of Government responsible for the disability and rehabilitation matters, which presides the Commission, the chairman of the National Institute for Rehabilitation, IP (INR, IP), which replace, in absence or impediment, the president; a representative of non-governmental organizations of each of the following areas of disabilities: sensory, intellectual, and physical.

The State encourages and supports people with disabilities, their families and the disability movement throughout all measures taken for the prevention of disabilities, the rehabilitation and the social integration of people with disabilities.

In recent years, the disability movement has grown significantly and consolidated its form of acting. In some cases it has taken on an active role of claiming rights for the people with disabilities. The dialogue between the State and NGOs, and the logistical and financial support that the latter have received, has contributed to encouraging the social role played by associations.

In doing so, the Portuguese Government is adhering to both the principles contained in the Basic Law and to the international recommendations for the participation of people with disabilities in the definition and concretisation of effective related policies.

3. Collecting statistics and/or developing indicators - Article 31

The Portuguese Census 2011 will update the last Census 2001. It will include the Washington Group questions about Disability as well as questions about accessibility in the environment and private houses. However the results of Portuguese Census 2011 are not available yet.

In 2010 the National Institute for Rehabilitation made two studies about the available information on disability produced in public administration data and the implementation of ICF in health and social security inquiries. The National Statistic Institute also adopted a Recommendation about the use of ICF in national data collection systems.

Romania

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

The focal point is the National Authority for Persons with Disabilities, which also acts as the coordination mechanism.

2. National strategies to implement the UNCRPD

Romania has developed a first comprehensive strategy to implement the UNCRPD. The National Strategy "A barrier-free society for people with disabilities" is linked to the principles and obligations arising from the ratification of the UN Convention on the Rights of Persons with Disabilities. The UN Convention provides a framework for policy making and modernization of practices, tools and support methods in the community, leading to a barrier-free participation of people with disabilities in society, and to a dignified and fulfilled living in the community.

The purpose of the Strategy is to enhance life quality of people with disabilities and to ensure full participation of people with disabilities in society. Achieving this goal will only be possible when every field, process or activity of society, having an impact on the quality of every individual life and on the community progress, will be reformed. The National Strategy is designed to ensure coherent and solid policies at sectorial level, between different levels and government mechanisms and also their correlation with the objectives established by international treaties and conventions to which România is party. This document is pending approval by Government Decision.

According to the legal framework, the promotion and observance of the rights of disabled persons shall be, mainly, the duty of the local public administration authorities where the disabled person has his/her domicile or residence and, in subsidiary, and complementarily, of the central public administration authorities, civil society and the family or of the legal representative of the person. Based on the principle of equality, the competent public authorities shall ensure the necessary financial resources, and take specific measures as to ensure the direct and unlimited access to services. The National Authority for Persons with Disabilities and the other local and central public authorities shall ensure the necessary conditions for the social integration and inclusion of disabled persons.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

Within the Law no. 221/2010 for the Ratification of the Convention the monitoring mechanism was established. The National Authority for Persons with Disabilities was designated the central authority for the implementation of the UNCRPD, incorporating both the function of coordination mechanism and focal point. Considering the provisions of Art. 33 para. 2 of the *Convention* and taking into account the status, goals, mission, and not least the prestige of the Romanian Institute for Human Rights (**RIHR**), the latter has been appointed

the independent mechanism to promote, protect and monitor the implementation of the Convention by signing a collaboration protocol.

2. The involvement of civil society in the monitoring process - Article 33(3)

Civil society will be involved through the independent mechanism to protect, promote and monitor the UNCRPD.

The NGOs of persons with disabilities are consulted in regard to all legislative measures for persons with disabilities in the following areas:

- For activities related to the protection and promotion of the rights of disabled persons, the National Authority for Persons with Disabilities and the local and central public administration authorities maintain dialogue, collaboration and partnership relationships with the non-governmental organizations of persons with disabilities or which represent their interests, and with the cult institutions recognized by law with activity in this field.
- The Council for the analysis of the problems of disabled persons is an advisory body attached to the National Authority for Persons with Disabilities, formed by representatives of central public administration authorities as well as representatives of civil society.
- The task of the Council is to analyze problems related to the protection of disabled persons, to propose measures regarding the improvement of their living conditions and to notify the competent bodies of the breach of the rights of disabled persons.

The National Authority for Persons with Disabilities may conclude partnerships with non-governmental organizations of disabled persons, which represent their interests or perform activities in the field of promotion and defense of human rights. Also, the legislative changes in the field are made in consultation with the civil society, taking into account all the proposals made by NGOs operating in the field of disability and persons with disabilities. In addition, the National Council on Disability in Romania signed a cooperation protocol with the **MoLFSPE**, aiming at enhancing the cooperation between civil society and the Ministry on amending legal acts in the field of social work.

Also, a collaboration protocol was signed with another organization, namely the Centre for Legal Resources which is a non-governmental, non-profit organization which actively advocates for the establishment and operation of a legal and institutional framework that safeguards the observance of human rights and equal opportunities, free access to fair justice and which contributes to the capitalization of its legal expertise for the general public interest. The purpose of the collaboration protocol is to involve the Centre for Legal Resources in the monitoring process, according to the provisions of Art. 33.3 of the Convention.

Additional collaboration protocols were signed according to the provisions of Art. 33.3 with RENINCO Romania, National Network for Information and Cooperation for the Integration in the Community of Children and Young People with Special Educational Needs and also the National Organization of Disabled People in Romania.

3. Collecting statistics and/or developing indicators - Article 31

The National Authority for Persons with Disabilities is collecting statistics on the number of persons with disabilities, the types of disabilities, the number of residential institutions and the living conditions they offer, the number and type of alternative services, data regarding

the implementation of specific quality standards in residential institutions and data regarding the costs. Under the Loan Agreement between Romania and the International Bank for Reconstruction and Development, designed to finance Social Inclusion Project approved by Law no. 40/2007, through the Programme for persons with disabilities, a National Registry RENPH (data base) of the persons with disabilities was developed and is being maintained as a unitary record system of the persons with disabilities and of the benefits. The purpose of the *registry* is to integrate into a central data store all information from the **GDSACPs** databases subordinated to the county / local municipality districts in Bucharest councils. It is designed to create a unified system of relevant data collection/reporting and to provide the adequate information support for taking decisions and setting up policies with impact upon the activities the accomplishment of which is on the responsibility of the Registry' beneficiaries.

The national electronic register will become a single national point of data aggregation, information and coverage of multiple forms of reporting activities related to the protection and promotion of rights of persons with disabilities.

Slovenia

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

The [Ministry of Labour, Family, Social Affairs](#) and Equal Opportunities was designated as the focal point within government for matters relating to the implementation of the Convention in accordance with the Act on ratification of the UNCRPD and the Protocol, in accordance with the Slovenian system of disability policy.

Within the National Assembly there is a special Committee on Labour, the Family, Social Policy and Disability and within the National Council of the Republic of Slovenia there is a special independent Commission for Social Care, Labour, Health and the Disabled (the current president of this commission is a person with a disability).

The framework of organisations which are also dealing with disability issues in Slovenia is composed of the [National Council of Disabled People's Organisation of Slovenia \(NSIOS\)](#) with its representative and other disabled people's organisation working on a national level and of several expert and governmental institutions.

In October 2013 Council for persons with disabilities of the Republic of Slovenia was established under the Equalisation of Opportunities for Persons with Disabilities Act and it is independent tripartite body that consists of 21 members:

- 7 representatives of representative disability organizations,
- 7 representatives of professional institutions in the field of disability care and
- 7 representatives of the Government of the Republic of Slovenia.

Purpose of the Council is to act as a mandatory consultative forum on disability policy issues.

The functions of the Council are:

- Monitoring of the development and implementation of disability policy programs and to make suggestions for their development and implementation.
- During the public hearing gives an opinion on the laws and regulations relating to the protection of persons with disabilities.
- Participates at the preparation of reports on the implementation of national programs and gives an opinion on them.
- Gives suggestions, proposals and recommendations to the Government of the Republic of Slovenia concerning the disability care.
- Provides cooperation between Ministries, other professional institutions and organizations working in the field of persons with disabilities.
- Promotes and monitors the implementation of the Ratification of the Convention on the Rights of Persons with Disabilities Act and its Optional Protocol to the Convention on the Rights of Persons with Disabilities (Official Gazette - International Treaties, No. 10/08).
- Performs other tasks in accordance with adopted Rules of function of the Council.

2. National strategies to implement the UNCRPD

Equalisation of Opportunities for Persons with Disabilities Act was adopted by the National Assembly at the end of November 2010 and represents the basic law in the field of the prevention of discrimination against persons with disabilities with the aim to establish equal opportunities for persons with disabilities in all aspects of life in Republic of Slovenia.

In 2006, the Slovenian Government accepted the Action Programme for Persons with Disabilities 2007-2013 and in 2014 it accepted the Action Programme for Persons with Disabilities 2014-2021. The program is based on the Convention on the Rights of Persons with Disabilities, as well as on other UN documents, Action Programme of the EU for persons with disabilities and on the Action Programme of the Council of Europe. Slovenian Government approves a yearly report on implementation and control of the objectives and measures of APPD (for the documents see [here](#) and [here](#) in Slovenian only).

The purpose of Slovenia's Action Programme for Persons with Disabilities is to promote, protect and ensure the full and equal enjoyment of all human rights by persons with disabilities, and to promote respect for their inherent dignity. The program comprises twelve fundamental objectives together with 91 measures, comprehensively governing all spheres of persons with disabilities life, and referring to the period 2014 – 2021.

The last section of Action [Programme for Persons with Disabilities 2014-2021 \(APPD\)](#) includes a list with several actions for the implementation and control of the objectives and measures laid down in the APPD. Participation of civil society is provided for in 2nd Article: “ensuring that disabled people's organizations are fully involved in control procedures”. Further to that a Disabled Organisations Act (Article 4) prescribes that all the state institutions should consult with Disabled People's Organisations in all matters concerning the planning of national policy and actions to ensure equal opportunities and equal treatment of disabled people.

A special Governmental committee was established to control the implementation of actions laid down in the APPD and has the task to prepare an annual report to be send to the Ministry of Labour, Family, Social Affairs and Equal Opportunities. Members of this committee are representatives of all relevant ministries, institutions and of the NSIOS, as representatives of persons with disabilities.

The objectives of the Action Programme for persons with disabilities 2014-2021 are:

1. Raising awareness and providing information
2. Accommodation and Integration
3. Accessibility
4. Education
5. Work and Employment
6. Financial and Social Security
7. Health and Provision of Medical Care
8. Cultural Engagement
9. Sports and Leisure Activities
10. Spiritual and Religious Life
11. Self-organisation of Persons with Disabilities
12. Violence and Discrimination
13. Ageing with a Disability

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

According to Article 28 of the Equalization of Opportunities for persons with Disabilities Act (Official Gazette, 94/2010), the Council for Persons with Disabilities of the Republic of Slovenia (hereinafter: Council) is an independent tripartite body; it is composed of representatives of DPOs, representatives of professional institutions in the field of protection of persons with disabilities and representatives of the Government of the Republic of Slovenia. The tasks of the Council are to include promotion and monitoring the implementation of the Act Ratifying the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of Persons with Disabilities, too.

The Act provides that “the ministry responsible for the protection of persons with disabilities shall perform professional, administrative and technical tasks for the Council” and that “funds for the work of the Council shall be provided from the budget of the Republic of Slovenia”.

Until the establishment of the Council in 2013, the Government Council for the Disabled will perform its functions.

Big efforts to protect, promote and monitor the UNCRPD are provided by NSIOS whose mission is the systemic implementation of human rights of disabled people and their legal representatives as well as full inclusion and equality of disabled people in all social areas. In this sense NSIOS is also constantly pursuing to examine Slovenian legislation and provide initiatives for its amendments in accordance with the interests of the disabled; to participate in the preparation of new legislation and to verify whether the interests of disabled people and their organisations are adequately taken into account in the proposed laws. NSIOS also encourages the provision of equal opportunities for disabled persons in the society and is always asserting the principle “nothing about disability without disabled”.

2. The involvement of civil society in the monitoring process - Article 33(3)

Civil society and in particular persons with disabilities and their representative organizations are involved and fully participate in the monitoring process through the Council for persons with disabilities of the Republic of Slovenia. They may also submit proposals directly to the drafts of Acts, to the Programmes and are participating at working groups.

The Council for Persons with Disabilities of the Republic of Slovenia ensures that persons with disabilities are given due consideration in all national programme documents and gives expert opinions on proposed acts and implementing regulations.

Besides, the Council discusses all legal acts concerning the status of persons with disabilities in different stages of drawing up and adoption, it monitors the implementation of adopted legal acts and draws attention to problems and deficiencies that arise in the process. Within international cooperation the Council keeps itself informed of new developments in the EU concerning persons with disabilities (reports of ministries, NSIOS and representative organisations of persons with disabilities). The Council considers expert reports of institutions operating in the field of protection of persons with disabilities. It draws up opinions and

positions on documents the relevant ministries prepare for the Government and on initiatives and proposals submitted to it by disability organisations, social economy organisations, professional institutions and individuals.

Under the Slovenian Act on disability organizations adopted in 2002, Article 4 on Engagement to consult disability organisations provides that "Disability organizations participate in shaping the national policies and measures for providing equal opportunities and equal treatment of persons with disabilities. National authorities consult disability organizations on all matters from previous paragraph" Furthermore Article 10 states that, disability organizations among other define interests and defend the needs of persons with disabilities on all levels concerning the life of disabled persons and contribute to the awareness of general public and have an impact on changes in favour of disabled persons, plan, organize and perform program

Representative and other disability organizations functioning on national level can join into a national council of disability organizations - National Council of Organisations of Persons with Disabilities. The goal of the Council is to coordinate the interests of all persons with disabilities in the country, respecting the autonomy of each disability organization and to represent them in the dialogue between professional associations, national authorities, public institutions and other stakeholders. The National Council proposes candidates for the representatives of persons with disabilities in the authorities of national institutions and authorities of international organizations and cooperation, and performs other commonly agreed activities.

The government and line ministries consistently respect this provision and consult the representatives of representative disability organizations on all important issues. Also public discussions on preparatory acts are being held at the same time.

3. Collecting statistics and/or developing indicators - Article 31

Statistics and data are collected by different institutions, for example by Ministry of Labour, Family, Social Affairs and Equal Opportunities; the Employment Service of Slovenia; the Pension and Disability Insurance Institute of the Republic of Slovenia; the Statistical Office of Republic of Slovenia; the Fund for the Promotion of the Employment of the Disabled; the Health Insurance Institute of Slovenia; the Social Protection Institute of the Republic of Slovenia; the University Rehabilitation Institute – *Soča*, etc.

Slovakia

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

In November 2012, the Ministry of Labour, Social Affairs and Family of the Slovak Republic submitted to the Government for its approval the draft “Proposal for a Creation of a Focal Point in response to the UN Convention on the Rights of People with Disabilities” mandating the Ministry to take over the role of a focal point. The Government of the Slovak Republic endorsed the proposal on the 20 February 2013 by its Resolution No. 103/2013 which enters into effect immediately and involves i.a. creation of two civil service posts devoted exclusively to the UNCRPD. The Resolution imposes the duty on other ministries to designate a nominee through which the respective ministry will cooperate and coordinate its activities with the focal point

2. National strategies to implement the UNCRPD

No strategy on the Convention implementation has been developed so far. However, a new National Programme of developing the living conditions of persons with disabilities has been under preparation, based on the Convention on the Rights of Persons with Disabilities and could serve as a national strategy. The deadline for completion of the National Programme for the Development of living conditions of persons with disabilities is envisaged for the end of 2013.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

The Slovak Republic has currently not established an unambiguous, independent mechanism for promoting, protecting and monitoring the Convention.

2. The involvement of civil society in the monitoring process - Article 33(3)

Civil society, in particular persons with disabilities and their representative organisation (in accordance with Article 33 (3) of the Convention) have been preparing for the monitoring process through the National Council of Persons with Disabilities.

Apart from this, also the Statute of the Committee for People with Disabilities follows the principles of parity and direct participation, thus creating wide and relevant possibilities for people with disabilities to participate and influence the work of the Committee.

The Statute recognizes six different groups of organizations representing different types of disability - intellectual disability, chronic illness, mental and behavioral disorder, hearing impairment, physical disability, and visual impairment. According to the Statute, two representatives, elected by organisations representing different types of disability, became members of the Committee following a call for interest opened on 4 July 2011. In order to make the call widely accessible, it was marketed both on the internet and in one of the nationwide daily newspapers.

3. Collecting statistics and/or developing indicators - Article 31

At present, there is no national coordination of disability research in Slovakia either in terms of research institutions or explored topics. The final available research products on issues related to disability and the lives of the disabled and their families are rather matter of individual research initiatives of various, mainly publicly-funded institutions. For working purposes, these can be divided into several groups:

- *Sectoral Disability Research* (these are mostly different research projects thematically linked to the selected topical issues addressed in the scope of individual sectoral Ministries, such as sector of Labour, Social Affairs and Family, sector/ of Education, Science, Research and Sport, Ministry of Culture, etc.)
- *Disability Research conducted by universities and the Slovak Academy of Sciences* (this refers to different research projects implemented with the support of national grant schemes, such as VEGA, and international grant schemes)
- *Research implemented by independent and civil society organizations* (such as IVO/Institute for Public Affairs, SOCIA Foundation, Slovak Disability Council etc.)

The Statistical Office of the Slovak Republic does not collect data regarding people with disabilities disaggregated by gender, age, education or various types of disability (physical, visual, auditory, intellectual/learning, mental, internal), the cause of the disability, level of independence, economic activity or whether they live in home/community-based environment/independent living or in institutional settings. In the framework of the ESSPROS methodology – European System of Integrated Social Protection Statistics, there are data on the number of recipients of disability pensions, including recipients of disability pension for youth, and data on expenditure on disability social benefits.

In 2009, the Statistical Office conducted a pilot project that aimed to prepare and test the Slovak version of the European Disability and Social Integration Module (EDSIM). Given the fact that testing of the Slovak version of questions of the module was carried out on a small sample, the results of the survey were not representative and were not published. Outputs from the project were provided to Eurostat.

Finland

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

Finland has signed both the UN Convention and its Optional Protocol on 30 March 2007. In May 2011, the Ministry for Foreign Affairs set up a working group to prepare the measures necessitated by the ratification of the Convention and its Optional Protocol in Finland. The term of the working group ended at the end of 2013. The report of the working group was circulated for comments widely to different authorities and civil society actors. The Government bill concerning the ratification of the Convention and its Optional Protocol, which was drafted on the basis of the working group's report, was submitted to the Parliament on 4 December 2014. The Parliament approved the Convention and its Optional Protocol on 3 March 2015 and the President ratified them on 10 April 2015. However, Finland has not yet deposited the ratification instrument as the Parliament required that before the deposit the national legislation must be amended to comply with Article 14 of the Convention. The needed amendments are currently being drafted. Information on the UNCRPD is spread by the Ministry for Foreign Affairs, the Ministry of Social Affairs and Health, the National Council on Disability and by disabled people's organisations.

2. National strategies to implement the UNCRPD

In 2010, the Ministry of Social Affairs and Health prepared a specific Disability Policy Programme in order to guarantee equal treatment of persons with disabilities. The programme outlines the concrete disability policy actions for the next few years (2010–2015). The social development to achieve sustainable and accountable disability policy is outlined in the same context. The objective of the programme is to create a strong foundation for human rights, non-discrimination, equality and inclusion. The programme was prepared in cooperation with the different administrative sectors, expert bodies, NGOs, DPOs and other stakeholders.

The Finland's Disability Policy Programme contains concrete proposals on how to promote and implement the UNCRPD in different sectors. Areas that are covered include: independent living, social inclusion, building, transport, education, employment, social protection, health and rehabilitation, safety, culture, international cooperation and statistics. The main content of the Disability Policy Programme are measures to ensure the following objectives:

1. Preparation and implementation of the legislative amendments necessitated by the ratification of the UN Convention on the Rights of Persons with Disabilities;
2. Improving the socioeconomic status of persons with disabilities and combating poverty;
3. The availability and high quality of special services and support measures will be ensured across the country;
4. Accessibility in society will be strengthened and increased;
5. Disability research will be reinforced, the information base improved, and diversified high-quality methods developed in support of disability policy and monitoring.

The implementation of Finland's Disability Policy Programme is monitored by the National Council on Disability and the National Institute for Health and Welfare. According to the

latest progress report (2014) by the National Institute for Health and Welfare, the Programme has advanced disability policy in Finland.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

The Government bill concerning the ratification of the Convention and its Optional Protocol was submitted to the Parliament on 4 December 2014. The Convention and its Optional protocol were approved by the Parliament on 3 March 2015 and ratified by the President on 10 April 2015.

According to the ratified bill, the framework required by Article 33 will be the following:

- Focal point: Ministry of Foreign Affairs and Ministry of Social Affairs and Health
- Coordination Mechanism: National Council on Disability
- Monitoring Mechanism: The Finnish Human Rights Institution (constituted from the Center for Human Rights, the Parliament Ombudsman and the Council for Human Rights) - fulfills the Paris Principles

In the context of nominating the mechanism, particular attention has been paid to the need to ensure that civil society, in particular persons with disabilities and their respective organisations are involved in the monitoring process.

2. The involvement of civil society in the monitoring process - Article 33(3)

In Finland, there is already a well-established practice to cooperate and involve civil society and other organisations in all stages of reforming legislation. Also, in its existing human rights reporting practice, the Finnish Government encourages civil society to actively participate in the reporting to the international organisations. Usually, when a periodic report is prepared, civil society is asked to provide views on the information to be included in the report, and the interested civil society representatives are invited to attend a discussion on the draft report before its finalisation. Civil society is also encouraged to participate in the so called "shadow reporting", i.e., to send parallel reports to the human rights treaty monitoring bodies.

The organisations of persons with disabilities have actively participated in international processes related to the human rights of persons with disabilities, in particular in relation to the drafting of the UNCRPD. Organisations of persons with disabilities and the National Council on Disability have also been consulted on the legislative amendments needed for the ratification of the UNCRPD. In addition to the representatives of the public administration and the local and regional authorities, the National Council on Disability (VANE), the Finnish Disability Forum and the Centre for Human Rights of Persons with Disabilities (VIKE) were members of the working group set up to prepare the measures necessitated by the ratification of the Convention and its Optional Protocol.

The organisations of persons with disabilities and the National Council on Disability are also consulted in relation to the overall human rights policy of Finland, which includes a focus on

the rights of persons with disabilities. In connection with awareness-raising, organisations of persons with disabilities have been notified in various contexts of the legislative amendments necessitated by the ratification of the UNCRPD.

The preparation of the Finland's Disability Policy Programme was based on a process of active participation of persons with disabilities and their organisations. The implementation of the Programme is monitored by the National Council on Disability that represents persons with disabilities, their relatives, disabled people's organisations, government authorities and national experts on disability.

3. Collecting statistics and/or developing indicators - Article 31

The collection of statistics has not yet been linked to the UNCRPD. Statistics on disability are collected mainly by the National Institute for Health and Welfare, Statistics Finland and the Social Insurance Institution of Finland.

In general, statistics are based on national legislation. However, since disability is not used as a variable in population surveys, it is impossible to gather comprehensive data on persons with disabilities in Finland. Statistics Finland collects disability statistics only according to EU legislation through different EU surveys (for example Labour Force Survey's ad hoc module 2011 on employment of people with disabilities) for which the definitions and specifications are given by Eurostat.

Statistics on disability describe mostly services provided to persons with disabilities. SOTKANet Indicator Bank (www.sotkanet.fi) operated by the National Institute for Health and Welfare (THL) is an information service that offers key population welfare and health data from Finnish municipalities since 1990. Disability data is collected by several different indicators that fall under the following five categories: services for persons with disabilities, housing services for people with intellectual disabilities, sheltered work for disabled people, statutory services and assistance for disabled people and other disability services and benefits. Social Insurance Institution of Finland provides annual statistics about the benefits and services it grants to persons with disabilities.

The Ministry of Transport and Communications published accessibility indicators in communications services in December 2014.

Sweden

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

The Division for Family and Social Services of the Ministry of Health and Social Affairs is responsible for the co-ordination of disability policy within the Government and has been appointed as the national focal point for matters related to the United Nations Convention on the Rights of Persons with Disabilities.

The Family and Social Services Division of the Ministry of Health and Social Affairs is also leading a working group within the Government consisting of civil servants representing the following ministries: Ministry of Employment, Ministry of Culture, Ministry of Justice, Ministry of Education and Research, Ministry of Health and Social Affairs, Ministry of Finance and the Ministry of Enterprise Energy and Communication. The purpose of this group is to mainstream disability policy within the Government.

Furthermore, the Swedish Agency for Participation plays an important role in co-ordinating, monitor and accelerating disability policy by supporting the sectoral authorities tasked with implementing the national plan for disability policy.

2. National strategies to implement the UNCRPD

The current disability policy was established already in the year of 2000 when the Swedish Parliament passed the Government Bill “From patient to citizen: a national action plan for disability policy”. This decision by the Parliament represented a step of fundamental importance for Swedish disability policy. Since then the objective of disability policy has been a society that makes it possible for disabled people to fully participate in the life of the community. The aim is to mainstream a disability perspective in all sectors of society by identifying and removing obstacles to full participation for people with disabilities. Another goal is to prevent and fight discrimination against people with disabilities and to make it possible for boys and girls, men and women to lead independent lives and to make their own decisions about their own lives.

The ten-year action plan ended in 2010. The Government has decided a strategy for the disability policy 2011-2016. The implementation of the UNCRPD forms the basis of the future disability policy. In the strategy the Government presents a number of strategic objectives for disability policy in nine priority areas for the coming five-year period: physical accessibility, IT policy, social policy, education policy, labour market policy, the judicial system, transport policy, public health policy, and culture, media and sport policy.

Within these areas the strategy defines the direction and give concrete form to how society’s measures will be implemented, coordinated and consolidated, and continuously monitored in order to develop disability policy.

B. Monitoring of the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

In October 2010, the Delegation for Human Rights in Sweden presented its final report with proposals on, *inter alia*, how the system for national implementation of human rights can be strengthened. One of the proposals of the Delegation was the establishment of a national institution for human rights. According to the proposal, such an institution should be provided with a broad mandate to protect and promote human rights according to all human rights conventions ratified by Sweden, including the UNCRPD. The Delegation's report features contributions from a wide range of actors in society and has also been the topic of a consultation process during the autumn of 2011. At present, the Delegation's proposals are being considered within the Government Offices. The proposal of establishing a national human rights institution with the mandate to protect and promote the rights under the UNCRPD and other human rights conventions is being considered within that context.

In the meantime the responsibility of protecting and promoting the rights proclaimed in the UNCRPD lies within existing state agencies in accordance with their respective mandates. In that context, the Family and Social Services Division of the Ministry of Health and Social Affairs and the Swedish Agency for Participation play an important role.

2. The involvement of civil society in the monitoring process - Article 33(3)

The disability organisations have a highly important role to play as consultative partners, and the Government therefore supports them financially and has also established disability advisory committees at all levels in the public sector. At national level, the Government has established a committee as a forum for mutual information and discussions. The Minister for Children, the Elderly and Gender Equality at the Ministry of Health and Social Affairs, who is responsible for disability policies, is chairing the committee which is composed of members of the Swedish disability organisations together with State Secretaries from several Ministries. Members of the committee meet four times a year and the agenda for the meetings are prepared jointly between the government and the disability movement.

Of the 22 strategic agencies tasked with implementing Swedish disability policy on the basis of the Government's national disability policy strategy, 14 have established consultations with the disability organisations. A further seven have embarked on the process of establishing such consultations. At local level, 88 per cent of Sweden's 290 municipalities report that they have established some form of consultation with the disability organisations. It is up to the public bodies concerned to ensure that these consultations are accessible regardless of functional capacity, in terms of both information and premises.

In addition, The Swedish Agency for Participation has set up a disability advisory committee together with three national disability organisations. The aim is to pursue a dialogue focusing on the agency's task in the disability policy sphere. These consultations stem from an agreement based on the Council of Europe's Code of Good Practice for Civil Participation in the Decision-Making Process. The disability advisory committee meets three times per year, and the Swedish Agency for Participation also organises a half-day thematic dialogue with the disability organisations each year. This event is attended by all the strategic agencies. In connection with this work, and in consultation with the disability organisations, the Swedish Agency for Participation has developed guidelines for how consultations between the public

sector and the disability movement could be established. These consultation guidelines, too, are based on the above code.

3. Collecting statistics and/or developing indicators - Article 31

There are rather precise statistics regarding persons with disabilities included in different support system or special support measures. Furthermore, there are continuously individual research and studies made in the field of disability. This is an opportunity to extract trends or indication of challenges. Still, there is a need to strengthen the provision of longitudinal statistics in the field of disability.

One way of doing this is to use general population studies combined with a screening process to distinguish persons with disabilities. The general strategy for Swedish disability policy is to include disability into all relevant political areas. Therefore there is also a need to measure the development of the society from the perspective of accessibility and inclusion of persons with disabilities. To promote this the Swedish Agency for Participation is developing a system of indicators that measure the progress of accessibility for persons with disability in a broad range of areas. There will still be a continuous need for more exhaustive research within different disability areas as a complement to statistics based on the population.

United Kingdom

A. National Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

The Office for Disability Issues (ODI)³¹ is the designated focal point within the United Kingdom Government for matters relating to implementation of the Convention. It also fulfils a coordination role, liaising closely with other Government Departments and the UK's Devolved Administrations, (in Northern Ireland, Scotland, and Wales), on matters relating to the Convention. For example, ODI coordinated the UK's report on implementation of the Convention and continues working with other Government Departments and the Devolved Administrations on coordination issues with a view to avoiding duplication, and using existing co-ordination structures where appropriate.

The responsibility for actively implementing the Convention in respect of areas that fall within their policy remits rests with individual Devolved Administrations and Government Departments. Ministers, ODI and officials in other Government Departments, regularly meet disabled people and their organisations to discuss a wide variety of issues including the Convention. Similar arrangements operate in the Devolved Administrations.

2. National strategies to implement the UNCRPD

In September 2014 the UK Government published three documents that provide updates and show the progress that has been made on implementing its cross-government Disability Strategy – Fulfilling Potential:

- Fulfilling Potential: Making It Happen - Strategy Progress Update
- Fulfilling Potential: Making It Happen – Action Plan Update
- Outcomes and Indicators Framework Report

The Disability Strategy will mainly apply to England, except where issues are not devolved to Wales, Scotland and Northern Ireland. The devolved administrations will adopt their own strategic approaches to the achievement of disability equality. More information about Fulfilling Potential can be found on the GOV.UK website –

<https://www.gov.uk/government/organisations/office-for-disability-issues>

B. Monitoring the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

The UK's four equality and human rights commissions, i.e. the Equality and Human Rights Commission (EHRC), the Scottish Human Rights Commission (SHRC), the Northern Ireland Human Rights Commission (NIHRC) and the Equality Commission for Northern Ireland (ECNI)³², have been designated as the independent element of the UK's framework to promote, protect and monitor implementation. The four Commissions, as the independent

³¹ <https://www.gov.uk/government/organisations/office-for-disability-issues>

³² www.equalityhumanrights.com, <http://www.nihrc.org>, <http://scottishhumanrights.com>, <http://www.equalityni.org/site/default.asp?secid=home>

element of the UK framework, are developing their plans in respect of promoting, protecting and monitoring implementation of the Convention in the UK. The four Commissions meet regularly and where they consider it appropriate to do so, co-ordinate their activities.

The EHRC has information on its website about the Convention, and how its work relates to the Convention and its role within the framework to promote, protect and monitor implementation. The EHRC had worked to promote the Convention, for example by: hosting conferences to raise awareness of the Convention; publishing their ‘Hidden in plain sight – Inquiry into disability related harassment’ report (August 2011); producing ‘What does it mean for you?’ guidance about what the Convention can mean for disabled people and their organisations (published Summer 2010); and working with legal professionals and legal advisors to increase awareness and use of the Convention.

2. The involvement of civil society in the monitoring process - Article 33(3)

The UK government recognises that the involvement and participation, of disabled people and their organisations is crucial for the success of the Convention. Departments and Devolved Administrations are actively encouraged to involve disabled people in policy development.

The **Fulfilling Potential Forum** brings together representatives from 40 disability organisations and Disabled People’s User Led Organisations, from across the UK. The Forum is convened by the Minister of State for Disabled People and the Minister of State for Care and Support. It meets quarterly to discuss and input into strategic priorities and direction across government to improve the key outcomes identified by disabled people as set out in the cross government disability strategy - Fulfilling Potential.

The Forum continues the engagement with disabled people and their organisations that led to development of the Fulfilling Potential Disability Strategy, and recognises the expectation of the UN Convention on the Rights of Persons with Disabilities that disabled people will be involved in how it is implemented and monitored.

More information about the Forum can be found at -

<https://www.gov.uk/government/groups/fulfilling-potential-forum>

Northern Ireland, Scotland and Wales have involved disabled people and their organisations in the development of their own disability strategies covering areas where powers are devolved.

3. Collecting statistics and/or developing indicators - Article 31

In September 2014 the UK Government published an Outcomes and Indicators Progress Report to update and show the progress that has been made on delivering its cross-government disability strategy - Fulfilling Potential. The Fulfilling Potential Outcomes and Indicators Framework provides a basis for how UK Government can measure progress. It includes a number of indicators, which provide an indication of where progress is being made and where work needs to be done. These indicators cover six key themes: education; employment; income; health and wellbeing; choice and control; and inclusive communities -

The report can be found at -

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/348867/Fulfilling_Potential_Outcomes_and_Indicators_Framework_Progress_Report_2014.pdf

The European Union

A. Implementation of the UNCRPD

1. Focal points and coordination mechanisms for implementing - Article 33(1)

On 26 November 2009, the Council of the European Union adopted the Decision³³ on the conclusion by the European Union of the UNCRPD. It designates the European Commission (the Commission) as the focal point for the implementation of the Convention at EU level.

On 2 December 2010, the Council adopted a Code of Conduct which specifies internal arrangements for the implementation and the representation of the EU in matters related to the UNCRPD.³⁴ Point 11 in this Code of Conduct elaborates on the role of the EU focal point. The adoption of the Code of Conduct enabled the EU to complete the procedure of conclusion of the Convention by depositing its instruments of formal confirmation with the UN Secretary General in New York on 23 December 2010. The Convention entered into force for the EU on 22 January 2011.

As a Regional Integration Organisation, the EU is bound to the Convention to the extent of its competences. These are illustrated in a declaration of competence annexed to the Council Decision.

As focal point, the European Commission promotes cross-sectorial coordination within its different departments, with the other EU institutions and bodies, and between the EU and the Member States.

The formal coordination with the Member States is ensured through the human rights working group (COHOM) of the Council. In this respect, the Code of Conduct sets out certain aspects of the coordination between the EU and the Member States, especially with regard to the participation and representation in the UN Conference of State Parties and the reporting on the Convention.

With regard to reporting, point 12 of the Code of Conduct highlights the complementarity of EU and Member State reports and the need to work in the spirit of sincere cooperation. This means for instance providing each other with the reports for information, on a confidential basis, before submitting them to the Committee on the Right of Persons with Disabilities, and, on request, assisting each other with experts to the Delegations during the examination of the Reports by the CRPD Committee.

The Report on the implementation of the UN Convention on the Rights of Persons with disabilities (UNCRPD) by the European Union (SWD(2014) 182 final) was published on 5 June 2014 and submitted to the UNCRPD Committee. The Report was prepared by the European Commission as the focal point and covers the period from January 2011 to December 2013. It covers matters of EU competence and contains information relating to the implementation, in law and policy, of the obligations stemming from the UNCRPD. It

³³ Council Decision 2010/48/EC, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:023:0035:0061:EN:PDF>

³⁴ Code of Conduct between the Council, the Member States and the European Commission setting out internal arrangements for the implementation by and representation of the European Union relating to the United Nations Convention on the Rights of Persons with Disabilities, OJ C 340, 15.12.2010, p. 11.

includes a section on the internal implementation of the Convention by the EU institutions as public administration (for instance as regards staff matters, accessibility of buildings and websites etc.).

The EU's implementation will be reviewed by the UNCRPD Committee in its 14th session in August 2015.

Issues related to the implementation of the UNCRPD are regularly discussed in meetings organised by the Commission in the Disability High Level Group with representatives of the Member States and their national focal points, as well as civil society and DPOs; and in the annual Work Forum which brings together focal points, coordination mechanisms, monitoring mechanisms and civil society from the EU and the Member States.

2. European strategy to implement the UNCRPD

On 15 November 2010, the Commission adopted the European Disability Strategy for the years 2010-2020. It marks a renewal of the EU's commitment to improve the situation of persons with disabilities and sets out the work plan and priorities for the coming years. The overall aim of the Strategy is to empower people with disabilities so that they can enjoy their full rights, and benefit fully from participating in society and in the European economy. It sets objectives to remove the barriers persons with disabilities meet in their everyday life.

The Strategy provides the overall framework to facilitate the effective implementation of the UNCRPD at EU level as well as to support the Member States in their implementation process. Specific actions are clustered around eight priority areas dealing with (1) Accessibility, (2) Participation, (3) Equality, (4) Employment, (5) Education and training, (6) Social protection, (7) Health, and (8) External Action.

The Strategy is accompanied by a list of actions for 2010-2015, with respect to each of the eight priority areas.³⁵

Progress in the implementation of those actions is subject to regular review, via the Commission's Inter-service group on Disability and the Disability High Level Group (DHLG).

In line with the Convention's obligation³⁶ to consult and involve representative organisations of disabled people when implementing the UNCRPD, the Commission ensures participation of persons with disabilities, their families, their European representative organisations and other relevant stakeholders in the development and implementation of disability policies.

People with disabilities are consulted through different channels and tools, such as, communications, consultation documents or participation in expert groups. Representatives of civil society and in particular of EU-level disability organisations are full members of the DHLG where they have the possibility to raise their concerns, contribute to discussions, and co-draft policy documents.

There was extensive consultation of civil society for the development of the European Disability Strategy, in particular representative organisations of persons with disabilities at

³⁵ SEC(2010) 1324 final

³⁶ Article 4.3

European level. Besides the consultation with civil society in the DHLG, all NGOs active in the field of disability co-financed by the Commission were invited to put forward their views as well as to dedicate part of their annual work programmes to activities related to the preparation of the new strategy. The Commission also organised an online public consultation, where 101 replies were received from a wide variety of civil society organisations, and hosted a consultative workshop with the main stakeholders representing civil society, sectoral business representatives, service providers and the social partners.

Since 2010 the European Commission has been hosting a **Work Forum** on the Implementation of the UNCRPD³⁷. The Work Forum provides a platform for exchange and mutual learning between the focal points, coordination mechanisms, monitoring mechanisms set up by the Member States and the EU under Article 33 of the UNCRPD, as well as civil society, DPOs, NHRIs and relevant international bodies.

The fifth Work Forum, held in October 2014, focussed on the following themes:

- 1) The right of people with disabilities to equal recognition before the law (Article 12 of the UN Convention)
- 2) Access to Justice (Article 13 of the UN Convention)
- 3) Monitoring the CRPD (Article 33.2 of the UN Convention)

The sixth Work Forum, held in April 2015, focussed on the following themes:

- 1) Improving synergies between the EU and the national level in the implementation of the UN Convention
- 2) What could be done differently to implement the UN Convention in the EU?: presentation of the parallel reports submitted to the UN in respect to the EU report on the Convention implementation.

B. Monitoring the UNCRPD

1. Framework, including independent mechanisms, for promoting/ protecting/ monitoring - Article 33(2)

Paragraph 13 of the Code of Conduct setting out the intra-EU arrangement for the implementation of the UN Convention required the European Commission to propose in due course an appropriate framework for one or several independent mechanisms, taking into account all relevant EU institutions, bodies and agencies.³⁸ According to Article 33(3) of the Convention,³⁹ direct involvement of persons with disabilities and their representative organisations should also be ensured.

³⁷ Organised since 2010, the Work Forum brings together the relevant actors involved in the implementation of the Convention at EU and member state level such as representatives of the mechanisms of art. 33, DPOs, civil society organisations, service providers, academic experts and other relevant international bodies and institutions.

³⁸ Hereafter, the term “institution” will be used for simplicity, except where reference is made to the specific Treaty provisions.

³⁹ The Council, in point 23 of its conclusions on the European Disability Strategy, "Support of the implementation of the European Disability Strategy 2010-2020", 3099th Employment, Social Policy, Health and Consumer Affairs Council meeting Luxembourg, 17 June 2011 invited the European Commission to involve civil society, in particular persons with disabilities and their representative organisations, in the

The Commission conducted a careful analysis of the various actors exercising tasks of promotion, protection and monitoring of the rights of persons with disabilities at EU level. In this process, as required by Article 4(3) of the Convention, persons with disabilities and their representative organisations were consulted through the European Disability Forum (EDF).

A proposal presented by the European Commission in January 2012 was endorsed by the Council on 29 October 2012.⁴⁰

The EU Framework became operational in 2013. Its members are:

- the European Parliament;
- the European Ombudsman;
- the European Commission;
- the EU Agency for Fundamental Rights; and
- the European Disability Forum.

The EU Framework promotes, protects and monitors the implementation of the UN Convention in matters of EU competence with respect to:

- EU legislation and policy: for instance as regards non-discrimination in employment, passengers' rights and EU funding.
- The EU public administration: for instance as regards EU personnel selection procedures, or access to documents.

The Chair of the EU Framework is appointed for two years and subject to a rotation system among its members. The Chair promotes the principle of collegiality which is inherent to the Framework's working methods.

The Framework Secretariat is also appointed for two years. The Secretariat coordinates the organisation and preparation of Framework meetings.

In the period 2013-2015, the EDF acts as Chair of the EU Framework and the European Commission assumes the role of the Secretariat.

In 2015, the EU Framework will launch its website which will serve as a point of information regarding its tasks as well as joint activities of its members. This information will be provided in accessible formats.

What does the EU Framework do?

Each member of the EU Framework is active in the promotion, protection and monitoring of the UN Convention.

For example:

implementation of the Convention at the EU level, as well as in the required monitoring and reporting activities.

⁴⁰ <http://register.consilium.europa.eu/pdf/en/12/st15/st15491.en12.pdf> ; p. 20.

The European Parliament promotes the rights of persons with disabilities through political debate and awareness-raising activities, including public hearings. In particular through its Petitions Committee, it can hear petitions from any EU citizen on matters that come within the Union's legislation and policies and directly affect them. A petition may take the form of a complaint or a request, may relate to issues of public or private interest, and call attention to an infringement of a European citizen's rights. The European Parliament monitors the application of EU law through implementation reports, human rights reports, oral questions, studies and implementation assessments.

The European Ombudsman monitors and addresses alleged breaches of the UN Convention when it concerns maladministration by EU institutions, bodies, offices and agencies. She can hear and investigate complaints that raise issues of law and good administration, undertake own-initiative investigations and produce recommendations and reports.

As guardian of the Treaties, **the European Commission** monitors Member States' application of Union law, including the UN Convention in matters of EU competence. It can deal with citizens' complaints related to the infringement of Union law by national authorities, and start infringement proceedings in case Union law is not respected.

FRA collects reliable, objective and comparable data related to the fundamental rights of people with disabilities in the EU and in its Member States. It also provides independent analysis, develops indicators to support the monitoring process of the UN Convention and promotes the Convention through awareness raising activities.

EDF is an independent civil society organisation that represents the interests of 80 million Europeans with disabilities. It promotes the UN Convention through awareness-raising and media activities, events and capacity building. It links national disability organisations and disseminates relevant information on the UN Convention and its implementation in order to reinforce their technical knowledge and advocacy capacity. It also monitors the implementation of the UN Convention by the EU by examining new proposals.

2. The involvement of civil society in the monitoring process - Article 33(3)

At EU level, persons with disabilities and their representative organisations⁴¹ play an important role in promoting, protecting and monitoring the implementation of the Convention. They regularly collect data, prepare position papers and reports, receive complaints from individuals and bring these to the attention of the responsible administration.

Participation of representatives of persons with disabilities in the EU Framework is ensured by the European Disability Forum.

The European Union recognises the importance of European networks that lies in their capacity to gather and mobilise relevant members from different Member States into an open forum of discussion or exchange of expertise and experience able to inform and influence policy-making, as well as relaying EU action vis-à-vis network members. This is reflected in

⁴¹ Such as the EU umbrella organisation EDF as well as other relevant EU-level disabled persons organisations and civil society organisations, like human rights organisations, service providers, trade unions and employer organisations.

the Commission's financial support to a number of European level NGOs, including DPOs,⁴² to carry out these tasks and to facilitate their role in the implementation of the Convention including in matters related to Article 33. Additionally, the structural funds, especially the European Social Fund, support, among other things, projects to promote inclusion in employment and education, the modernisation of social and health services and infrastructure as well as independent living.

3. Collecting statistics and/or developing indicators - Article 31

More than 112 million people aged 16 and over in the EU declared in 2013 a limitation in activities (according to SILC 2013). They are one of the largest categories of vulnerable citizens in the EU:

- Employment rates for persons with very severe and severe degrees of disability are very low and the incidence of poverty is high.
- The "benefit trap" appears to be a significant obstacle for labour market participation of persons with disabilities.
- Education rates for persons with disabilities are lower and their early school leaving is significantly higher than for non-disabled.
- Measures to facilitate full inclusion of persons with disabilities at all levels of education would improve their standing in the labour market and their social inclusion

The Council, in its Resolution of 17 March 2008 on the situation of persons with disabilities in the European Union, highlighted the necessity to establish a picture of the overall situation of persons with disabilities in Europe. Indeed, statistical and research data allow informed disability policies to be formulated and implemented at the different levels of governance.

Statistics from the European Statistical System

In the European Disability Strategy 2010-2020⁴³ the Commission emphasised that EU action will support and supplement Member States' efforts to collect statistics with a view to monitoring the situation of persons with disabilities.

Eurostat and the General Directors of National Statistical Institutes (NSIs) agreed to develop a modernisation programme for social statistics in order to be more flexible and responsive to new emerging policy needs, in particular from the increasing policy focus on social issues, well-being, health and inequality while improving the standardisation of its various components. This modernisation programme for social statistics is expected to ensure a better integration of surveys and other data sources and to streamline the data collection processes. One aspect relates to the modernisation of health (including disability) surveys in an attempt to improve the overall structure and the relevance of the health and disability statistical information. A final decision on these proposals is expected to be taken in 2015.

Currently four EU-wide surveys provide disability-related statistics⁴⁴. They relate to the population living in private households (i.e. population living in institutions is not covered)

⁴²Funding in this area is mainly provided through the Right, Equality and Citizenship Programme.

⁴³ COM(2010) 636 final

⁴⁴ Individual countries may organise additional data collections which are not harmonised

and aged 15 or 16 and above, which means that no source provides data on disabled children. These are respectively⁴⁵:

- **The European Health and Social Integration Survey (EHSIS)** was a one-shot exercise launched in 2012/2013. Only five national statistical authorities (Denmark, Hungary, Latvia, Slovenia and Spain) were partly or fully involved in the exercise, otherwise it was implemented by private companies. EHSIS was the most comprehensive source of data on the barriers to participation in different life areas for disabled persons but faced some quality issues which brought the Directors of social statistics to recommend its discontinuation.
- **The European Health Interview Survey (EHIS)** is currently running and should afterwards collect every 5 years data on the level of functioning and activity limitations in the population and provide other information on health status, health determinants and health care use;
- **The Statistics on Income and Living Conditions (SILC)** instrument collects annually data on long-standing activity limitation due to health problems (GALI variable) since 2003. The use of GALI allows building meaningful indicators related to income, social inclusion and living conditions. Data obtained from some of the SILC ad-hoc modules are also quite useful to describe the situation of disabled people.
- **The Labour Force Survey (LFS)** collected in 2002 and 2011 data on the situation of disabled people on the labour market via specific **ad-hoc modules**. This is the main source available at European level to assess the participation of disabled people in the labour market and in education and training.

The data available at EU level do not allow so far a regular monitoring of the situation of disabled people in Europe. A proposal to introduce GALI as a common variable into all EU statistical surveys was presented to the members of the European Statistical System: in addition to SILC and EHIS this would concern the Labour Force Survey, the Adult Education Survey, the Household Budget Survey and the Information and Communication Technology Survey. A decision should be taken in 2015.

The common feature of these actions is to incorporate/transfer the new concept of disability into questions and variables proposed. During the last three decades the conceptual approaches to the measurement of disability have changed. Three milestones in that evolution have to be mentioned 1) the medical model⁴⁶; 2) the social model⁴⁷ and 3) the biosocial model⁴⁸. The biosocial model incorporated into the International Classification of Functioning, Disability and Health (ICF, WHO 2001) attempts to bridge the gap between the medical and social models. The biosocial concept was followed also by the UN Convention on the Rights of Persons with Disabilities.

ANED, Academic Network of European Disability Experts

⁴⁵ <http://ec.europa.eu/eurostat/web/health/disability/data/database>

⁴⁶ Disability regarded as 'a restriction or lack of ability to perform normal activities, which has resulted from the impairment of a structure or function of the body or mind (concepts and definitions based on the medical model resulted in the International Classification of Impairments, Disabilities and Handicaps (ICIDH) in 1980

⁴⁷ Disability results from interaction between individuals and non-inclusive society

⁴⁸ The ICF (WHO 2001) states that disability is a complex phenomenon that is both a problem at the level of a person's body and a complex and primarily social phenomenon i.e. it is a disadvantage experienced by an individual resulting from barriers to independent living or educational, employment or other opportunities that impact on people with impairments, ill health or activity limitations (difficulty seeing, hearing, walking ..)

ANED, a network funded by the Commission, assists the Commission by providing information and expert assessment on legal and policy developments in all areas related to disability, at EU and national level. The Network delivers annual national reports covering a set of policy themes agreed with the Commission. ANED has been developing indicators to monitor practical implementation of the Convention in the EU and Member States. ANED has fed these indicators with statistical data and data from other sources when available.

ANED developed in 2012 DOTCOM⁴⁹, a web-based database of information about national laws, policies, strategies and other instruments at EU and national level related to the implementation of the UNCRPD. Instruments are grouped in themes including: UNCRPD governance, the general legal framework, accessibility, independent living, education, employment, statistics and data collection, awareness and external action. The database provides web links to national data sources.

In 2013 ANED focused on political participation, quantitative data collection and development of comparative statistics.

- Report on the Access to and Accessibility of Citizenship and Political Participation of People with Disabilities in Europe
- European comparative data on People with disabilities & Citizenship (December 2013)
- European comparative data on Europe 2020 & People with disabilities (December 2013)

In 2014 ANED focused on Europe 2020 strategy and health.

- Access to Healthcare by People with Disabilities in Europe – A Comparative Study of Legal Frameworks and Instruments
- Accessibility of Healthcare for People with Disabilities in Europe – A Comparative Study
- Annotated review of European Union law and policy with reference to disability
- European Union overview – European Semester - Flash synthesis report
- European Comparative Data on Europe 2020 & people with disabilities (November 2014)
- European comparative data on Health of People with disabilities (December 2014)

⁴⁹ <http://www.disability-europe.net/dotcom>

3. ACTIONS AND STRATEGIES BY CIVIL SOCIETY TO IMPLEMENT THE UNCRPD

Civil society represents persons with disabilities and provides feedback to policy makers and input to policies. The European level non-governmental organisations contribute to the implementation of the UNCRPD and are active in its monitoring.

In 2014, the Commission supported nine European level non-governmental organisations. They carried out activities to promote equal rights for people with disabilities, the implementation of the European Disability Strategy and of the UNCRPD. At the same time, they worked on capacity building of their national members and promoted self-advocacy. Very important actions were carried out regarding exchange of information, good practices and innovative initiatives for inclusion of people with disabilities, mutual learning, awareness-raising and promoting dialogue with national and EU bodies.

European Disability Forum (EDF)

EDF is a well-established network, representing all disability groups, making it the main stakeholder at EU level in the area of disability. It links national disability organisations and other EU-umbrella disability organisations and disseminates relevant information on the EU in order to reinforce their technical knowledge and advocacy skills. The organisation currently chairs the EU Framework on the UN Convention, which promotes, protects and monitors the UN Convention at EU level.

EDF actions aim at empowering persons with disabilities to fight discrimination and promote the implementation of human rights. In 2014, EDF prepared policy papers, positions and made comments on a wide range of EU policies and initiatives: Europe 2020, the structural funds, accessibility, transport, standardisation, EU research, development cooperation, accessible tourism and consumer rights. The main deliverable prepared was the Alternative Report on the implementation of the UN CRPD in Europe. EDF put an emphasis on gender equality, by developing and publishing the Gender Equality Plan 2015-2017. It also carried out a campaign on the EU elections 2014.

Autism-Europe

In 2014, Autism-Europe focused on promoting equal rights for people with autism, in particular in the area of employment and education. The Institute for International Legal Studies of the Italian National Research Council in cooperation with the organisation carried out an analytical research on the implementation of Articles 24 and 27 of the UNCRPD and identified good practices in domestic legislation, with a focus on people with autism. The aim of the research was to assist EU Member States in drafting, adopting and implementing legislation. <http://link.springer.com/book/10.1007%2F978-3-319-13791-9>

Two study visits and a training session took place to promote best practices, mutual learning and case studies in employment and social inclusion. Representatives from 24 European countries took part. A compendium of innovative practices by businesses for inclusion in the labour market was also produced: “Autism and work. Together we can. A report on good practices in employment for people with autism from across Europe”. An awareness raising campaign took place on the occasion of World Autism Awareness Day.

Inclusion Europe aisbl

Inclusion Europe promotes the rights and equal participation of people with intellectual disability and their families in society. Their activities included coordination of the national campaigns of the members regarding the EP elections, development of guidelines on how to consult with people with intellectual disabilities (especially in the process of alternative reporting to the UN), analysing and publishing several approaches to move away from substituted decision-making and support people with intellectual disability in the exercise of their legal capacity on an equal basis with others. A database on supported decision-making and a platform for exchange of good practices on legal capacity is available at www.right-to-decide.eu. Attention was also paid to self-advocacy and peer support.

International Federation for Spina Bifida and Hydrocephalus

The organisation worked to raise awareness and increase the visibility of people with these conditions and their impact throughout the world with the development of the global community PUSH – People United for Spina Bifida and Hydrocephalus (SB/H). The organisation was active in informing and training on the EU Cross-Border Healthcare Directive, the UNCRPD and other global and EU initiatives which promote equity in access to proper healthcare with the aim to reduce health inequalities for people with SB/H. In addition, they worked on the adaptation of the SHIP model (Spina Bifida and Hydrocephalus Interdisciplinary Program) to the EU regions.

European Network on Independent Living (ENIL)

ENIL focussed on facilitating the implementation of the right of persons with disabilities to live independently and be included in the community (Article 19 of the UNCRPD) by Member States and the European Union. The organisation collected data, identified good practice and offered recommendations to the relevant stakeholders. It also addressed the current threats to implementation of Article 19 - including the impact of the cuts in public spending on support services for disabled people, and disability hate crime. ENIL produced an Election Toolkit and a Factsheet on the participation of people with disabilities in policy-making. The organisation carried out a survey on the cost of personal assistance and institutional/residential care in eight Member States. Further it published a guide on hate crime. On 5 May (the European Independent Living Day) events in 14 countries were organised. One important achievement was the establishment of the first Centre for Independent Living in Greece.

European Association of Service providers for Persons with Disabilities (EASPD)

The activities focused on activation of the full potential of the EASPD network, mutual learning and cooperation among different actors as well as building cross-sectoral partnerships. EASPD organised a series of capacity-building, awareness-raising and dissemination events, and training courses. For example, the conference in Germany concentrated on the collaboration with local and municipal authorities for planning inclusive communities, and the conference in Norway focused on the collaboration with the housing sector. Seven Provider Forums contributed to the debates on the current developments in the sector and the collaboration between civil society and authorities on quality of services, deinstitutionalisation, employment and inclusive education.

European Multiple Sclerosis Platform (EMSP)

EMSP works to achieve its goals of high quality equitable treatment and support for people with multiple sclerosis throughout Europe. The organisation focused on the development of a European Employers' Charter based upon the needs and expectations of people with MS and best practice from employers across Europe and policy recommendations to improve access to employment and full participation in society. Further it focused on the development of a toolkit for employers across Europe to efficiently implement the rights of people with disabilities in their workplace. It fostered collaboration and partnerships with employers, national and European patients' representatives, policy decision-makers in the field of education, employment, social and health issues.

European Blind Union (EBU)

EBU activities aimed at voicing and mainstreaming the needs and expectations of blind and partially sighted people to obtain their full social inclusion and citizenship. The effort was focused on influencing EU legislation. Several position papers were made to address the visual impairment dimension in several crucial areas such as e-accessibility (including access to public websites and e-payments), the detection of silent vehicles by visual impaired pedestrians, the effective implementation of the WIPO treaty to facilitate blind and partially sighted readers' access to published works. The EBU members' role in monitoring the UNCRPD was reinforced by creating the European network of national UNCRPD Champions, producing an analytical report on data collected for article 29 and collecting the national data on article 33 of the UNCRPD.

EBU held a "Blind date" event in the European Parliament (November 2014) to "open the eyes" of the renewed European institutions to visual impairments and presented its "Access denied" report on barriers. It produced a brochure presenting 10 "Minimum standards for low vision services in Europe", a position paper on "Rehabilitation and Older People with Acquired Sight Loss" and an information pack on "The Right to Live without Violence" focusing especially on women.

European Union of the Deaf (EUD)

EUD aims to achieve full and equal European citizenship for all deaf citizens. In particular: recognition of the right of deaf people to use an indigenous sign language; empowerment of deaf sign language users through accessible communication and information; and equal participation of deaf sign language users in education, employment and larger society. In 2014, the activities included the European Manifesto Campaign to improve the accessibility of MEP websites and social media for deaf people. Over 90 MEPs committed themselves to more accessible information and communication for deaf Sign Language users. Four seminars and three workshops for EUD members were organised on the European Parliament's elections and EU citizenship rights, the UNCRPD, deaf politicians active in Europe, sign language interpreting services in EU countries, and recognition of sign language in different EU countries.

EUD was the leader of the EU funded pilot project "Insign" to improve independent communication and interaction opportunities for deaf citizens with the EU institutions. The results of the project will be announced in 2015.

Civil society shadow reports

Civil society plays an important role in the monitoring of the UNCRPD implementation. State parties' reports are accompanied by shadow reports of non-governmental organisations. These inform the UN Committee on the Rights of Persons with Disabilities on the non-governmental perspective. The European Union report is accompanied by shadow reports. Altogether 8 organisations submitted their reports to the UN Committee:

- European Network on Independent Living-European Coalition for Community Living
- International Disability and Development Consortium-on the European Union (IDDC)
- Global Initiative to End All Corporal Punishment of Children-European Union
- European Association of Service Providers for Persons with Disabilities (EASPD)
- European Network of (Ex-) Users and Survivors of Psychiatry (ENUSP)
- Belgian Interfederal Centre for Equal Opportunities
- European Disability Forum (EDF)
- Mental Disability Advocacy Center (MDAC)
- Autism Europe

The UN Committee dialogue with the European Union will take place during the 14th Session of the Committee, on 17 August 2015.

4. THEMATIC CHAPTER ON PEOPLE WITH DISABILITIES IN THE EUROPE 2020 STRATEGY FOR SMART, SUSTAINABLE AND INCLUSIVE GROWTH

EXECUTIVE SUMMARY

With Europe 2020 strategy half-way through and its mid-term review on-going, the Commission proposed to focus the thematic chapter of 7th High Level Group on Disability report on the Europe 2020 strategy and its disability dimension. The questionnaire for this thematic chapter was sent to the High Level Group on Disability members together with the regular first chapters of the Report to be updated.

This chapter puts together the replies received from Member States. This executive summary summarizes the replies received, and on their basis, identifies common trends and key examples. It does not aim to present the full picture of the EU situation or provide a comprehensive analysis.

The questionnaire covered the following issues: the situation of people with disabilities in employment, education and social inclusion (including statistical evidence and trends); reforms and measures to address challenges and the link with relevant country specific recommendations; involvement of civil society and disabled people organisations in policy making; identification of other areas of the Europe 2020 strategy relevant for disability policy; and intended use of the EU funding 2014-2020 to improve the situation of people with disabilities.

The key relevant headline targets of Europe 2020 are:

- employment target: raising employment rate to 75% (20-64 years-olds), current situation in 2013: 68.4%;
- poverty and social inclusion target: lifting at least 20 million people out of poverty and social exclusion, current situation in 2013: 24.5%;
- early school leaving target (early school leavers are people aged 18-24 who have only lower secondary education or less and are no longer in education or training): the share of early school leavers should be under 10%, current situation in 2013: 12%;
- tertiary education target: at least 40% of 30-34 years old should have completed a tertiary or equivalent education, current situation in 2013: 36.9%.

Employment

People with disabilities are significantly disadvantaged in the labour market. Both Eurostat surveys – Labour Force Survey Ad-hoc Module 2011 and EU-SILC 2012 - confirm significant employment gaps (LFS - 19.6, EU-SILC - 23.6 percentage points) between people with and without disabilities. In a majority of the Member States, participation in employment is slightly improving for both persons with and without disabilities but the employment gaps are not diminishing significantly. In 2014, the EU responded to the situation in the labour market as concerns persons with disabilities by 2 country specific recommendations (EE, NL) calling for better activation and inclusion in the labour market.

The questionnaires received from Member States mentioned several types of measures to support labour market participation of persons with disabilities. A number of countries have in place **employment quota** and **the employers can get support** for employing persons with disabilities or for physical adaptation of workplaces (reasonable accommodation of persons with disabilities is an obligation under EU law). **Vocational rehabilitation** enables participation in the labour market and this was reflected in several countries replies. Even if the goal of employment policies is employment in an open labour market, many people with disabilities still work in **sheltered work places** and often the increases in the employment rate are in this segment of the labour market. The problems in transition between sheltered and open labour market were acknowledged by several Member States.

Questionnaires replies included examples of **active labour market policies** helping people with disabilities to enter the labour market. **Social entrepreneurship** and support for **self-employment** were highlighted as important and getting support. At the same time, significant attention was paid to **re-assessment of work capacity** and focusing on people's abilities instead of passive benefit culture, and changes in disability pensions, **tightening the eligibility of disability pensions**. This trend was also reflected in two country specific recommendations for 2014. It is clear that flexibility in transition between the social protection system and the labour market is key.

Examples of measures mentioned:

MT intends to ensure that the law setting the 2% **quota** is properly implemented. From 2015, the employer not respecting the quota will need to contribute €2400 per each person with disability not employed and this contribution will go in a new fund for support of employment.

In **NL**, the government reached a social deal with trade unions and employers to create 100 000 extra jobs in the private sector and 25 000 in the public sector for people with disabilities, in 10 years.

ES intends to put as a condition for public procurement and public subsidies fulfilment of the 2% quota. Further it aims to promote the role of sheltered centres by establishing a reserve in some procurement contracts for those centres.

CZ reported the problem of the misuse of **the contributions for employment** of persons with disabilities by some employers. CZ put in place measures to exclude from support the entities that were carrying out their activities only for the purpose of obtaining State support. It also decreased the amount provided to ensure a co-financing by the employer.

HR put in place a new law on Vocational Rehabilitation and Employment of Persons with Disabilities setting the procedure for exercising the right to **vocational rehabilitation** at the Employment Services and establishing regional centres for vocational rehabilitation.

In **CY**, the schemes for vocational rehabilitation support both persons with disabilities in creating their own businesses and organisations providing supported employment. Occupational Rehabilitation Services (by Mental Health Services) support people with psychosocial problems to reintegrate into the labour market.

In **FI**, the conditions for access to vocational rehabilitation were adjusted in 2014 so that more people could get the service as early as possible to **prevent retirement on a disability pension**. It is possible to receive a partial rehabilitation allowance from the Social Insurance Institution for those days of rehabilitation when a person works only part-time.

In 2012, **HU** put in place the care and occupational system for early return of persons with disabilities to the labour market and created rehabilitation offices. There are two forms of benefits: transit employment (preparation for the open labour market) and long-term supported employment (for the preservation of skills and health conditions of people to work in supported employment). To get support, accredited employers must provide a rehabilitation advisor, mentor and personal assistant and must have an occupational rehabilitation programme and a rehabilitation plan. The rehabilitation card was also put in place to promote employment in the open labour market that ensures reliefs in the social contribution tax.

As concerns **active labour market policies**, **BG** implements a project called “Team for Inclusive Employment” aiming at development of an innovative model of inclusive employment for disabled.

FI is testing on the pilot basis (since 2014) a concept aiming to support people with partial work ability to enter and stay in employment. The employer or the Employment and Economic Development Office appoint a work ability coordinator that should work with a person to help him/her keep or get into employment. There are tools in six categories: in the workplace, healthcare and social services, rehabilitation, education, employment services, social welfare. All services and tools are available online.

In **AT**, a pilot project “fit for training” was created that should be scaled up to “training schools” in 2015.

In **SE**, the government assigned the Public Employment Service to implement a trainee programme at government agencies. The government initiative “PRIO-mental illness” is helping persons with mental illness to enter the labour market.

In **UK** the Disability Confident Campaign, launched by the Prime Minister in July 2013, aims to increase understanding, challenge attitudes, and showcase the talents and abilities of disabled people who are working. It provides a range of promotional materials and case studies to help employers understand the benefits of employing disabled people.

CY reported that has noted a shift of preference from sheltered workshops to supported employment in **the open market** among the parents of children with intellectual disabilities finishing schools. Inclusive education appears to cause this shift. In addition, supported employment institutions expanded because a person with disabilities working in the open labour market and earning a salary up to €500 is still entitled to a monthly minimum guaranteed income by the state.

LT referred to its specific **Law on Social Enterprises** and different kinds of subsidies it provides for.

In **BG**, the Agency for People with Disabilities finances projects on setting up of **own business**. Under the programme “Interest-free credit for persons with disabilities”

reimbursement of 10% of the interest on credits granted under older project Microcredit Guarantee Fund is provided.

As concerns **re-assessment of work capacity and tightening of the eligibility criteria for disability pensions**, CY put in place a new System for the Assessment of Disability and Functioning and opened the first Disability Assessment Centre at the end of 2013. It introduced the Minimum Guaranteed Income Law in 2014 and aims at further reform that would merge all disability benefits under one law (database of benefits should be also created).

EE launched a reform of the incapacity work scheme in 2012 to assess **work capacity** instead of incapacity of work. People should be given an access to rehabilitation (vocational and social) as soon as possible and this should be complemented by provision of active labour market policies to enable entering the labour market.

NL put in place the Participation Act and made the municipalities responsible for helping people with disabilities to enter the labour market. Changes were made in the WAJONG benefits system: from 1.1.2015 only young people with disabilities permanently unable to work could be admitted to the system and receive the benefits; as concerns people admitted to the system before 1.1.2015, they will be assessed on their ability to work. People without ability to work will be receiving their benefit payment of 75% of the statutory minimum wage and people with work ability will get 70% of the statutory minimum wage from 1.1.2018. In addition, based on the Social Agreement, everyone will earn at least the minimum wage and there will be the wage cost subsidy to reimburse to the employers the difference between the minimum wage and the actual production of a potential employee with disabilities.

FI supports people with partial work capacity to get employment also by means of flexibility of benefits, like the possibility of temporarily taking up a job without a fear of losing disability pension. Similarly MT intends to enable from 2015 the possibility to keep disability pension even once employed, although the salary would be higher than the minimum wage.

Education

People with disabilities are in higher risk of early school leaving and have lower tertiary education attainment. According to the EU-SILC 2012 there was a (self-reported) gap of more than 11 percentage points in both early school leaving and tertiary education attainment.

As concerns compulsory education, a number of children with disabilities are still educated in the special education institutions or classes. Thus the replies to the questionnaires pay primary attention to progress in ensuring **the equal access to education** and development of **inclusive education** starting from **early education and care**. According to the Member States, the number of pupils and students with disabilities in integrated education is increasing and there is a trend towards inclusive education. Upgrading of **qualifications and skills of teachers** in inclusive education is a prerequisite of successful integration of children with special educational needs into mainstream schools. It was highlighted in a number of countries. Less attention was paid to the participation in **the higher levels of education and adult and life-long learning**.

Examples of measures mentioned:

As concerns **early education and care**, **BG** mentioned a project for children 0-7 that aims at prevention of their social exclusion and improving their school preparedness.

LV intends to ensure assistant services for children from 0-5 with very severe disability in 2015.

LT paid attention to the development of early education and care and providing the municipalities with the integrated services for children and families. Specific seminars were organised for kindergartens' staff.

FI has the same inclusive basic education for all, where children are supported individually. **RO** and **SE** have in general inclusive education and they reported some problems to ensure special support for all children with disabilities. **IT** reported that 99.6% of students with disabilities are included in mainstream education and the intention is to introduce the International Classification of Functioning, Disability and Health (ICF) model in all schools and for every special educational need.

In **BE**, **Flanders** put in place the new Act "M-Decree" that legally anchors the obligation to provide reasonable accommodation in mainstream education. It determines a definition of pupils with special educational needs based on the social model of disability and ICF.

BG prepared several legislative changes, complex pedagogical assessment, the new curriculum for pupils and students with multiple disabilities.

In **CZ**, the new Education Act newly defines the system of 5 degrees of supported measures with the aim to ensure that regular schools have improved personnel and financial conditions for inclusive education.

HU made changes in the educational system; developed the new diagnostic tools to ensure access to quality education for children with special educational needs and to prevent unreasonable classification as disabled.

DK is reforming public schools and set a goal of 96% of students of public schools in ordinary classes in 2015. The Centre for Inclusive Education and Special Needs Education was established. In addition, there are special classes for students with Asperger Syndrome in **upper secondary schools** for those who cannot be individually integrated in general upper secondary schools.

As concerns **human resources development**, **SI** has developed a model of inclusion teams for schools and put in place a compulsory course on special educational needs in the faculty of Education for all students.

In **SE**, the National Agency for Education will develop a training programme for study and vocational guidance to counsellors in secondary schools. The aim is afterwards to help young people with disabilities with difficulties they face in the labour market.

As regards **adult education**, in **BG** the Law on Integration of People with Disabilities provides for monthly educational allowance for different forms of education beyond the general educational system.

Poverty and social exclusion

People with disabilities are more at risk of poverty and social exclusion. The last EU-SILC 2013 survey shows a gap of 8.5 percentage points between people with and without disabilities in the EU. The biggest gaps are in BE (17.7 p.p.), BG (19.6 p.p.), EE (15.9 p.p.), LT (16.3 p.p.) and UK (15 p.p.). The situation is not changing significantly over the last years.

De-institutionalisation got prominence in the questionnaire replies. According to the Member States, there is a trend towards transfer from institutional to community based care and development of the new services in community. Attention is also paid to development and improving of quality of **long-term care, mental health care** and development of **adapted social housing**. De-institutionalisation was specifically mentioned as a high priority in BG, CZ, EE, EL, ES, HR, IT, CY, HU, SI, FI. In LU the number of people living in institutions is minimal (2%), it is especially thanks to the dependency insurance (part of the social health insurance). **Accessibility** is viewed as a prerequisite of social inclusion.

Examples of measures mentioned:

BG reported that since 2009, 7 institutions were closed and 50 social services in community were opened. It mentioned as highly appropriate the day centres and centres for social rehabilitation and integration and provision of social services provided at home.

In addition to the institutions already transformed since 1997, **HR** is implementing a project on transformation of 2 largest institutions for people with intellectual disabilities.

In 2009, **FI** gave, with certain limitations, persons with severe disabilities a subjective right to personal assistance.

LT mentioned the project on **social rehabilitation services** in the community and support of association activities to integrate people with disabilities.

In **EE**, a draft Social Welfare Act is under discussion that should set minimum requirements to the local government welfare services with the aim to improve their **quality**.

On **mental health care**, **CZ** set a priority for 2015 to support social services for persons with mental illness. Complex reform of psychiatric care should be implemented in the next years.

EL pointed out to the development of supported houses especially for persons with mental disabilities to provide them with alternative accommodation in the community and thus prevent their institutionalisation.

In 2011, **LU** created the Life Academy, a discussion forum for people with intellectual disabilities.

SI put in place the Mental Health Law that introduced supportive system for transfer of people from institutions to local communities. The new system set up a regional network of coordinators helping people with mental health problems to reintegrate into domestic local environment.

In **FI** the number of persons with intellectual disabilities in long-term institutional care fell significantly and institutional care has been replaced mainly by 24-hours services. The final goal is to replace institutional care by individual housing and services by 2020.

As concerns **accessibility**, a focus is on physical, institutional, informational (BG, EL, UK).

LU concentrated on accessible information, more and more information is available in easy to understand language or in sign language. Further it intends to make the websites of the different ministries barrier-free.

BE put in place **the Diversity Barometer** for Employment (2012) and Housing (2014). **DK** created the Diversity barometer to measure trends in education, occupation and citizenship.

Civil society and people with disabilities organisations involvement in policy making

According to the Member States, civil society and people with disabilities' organisations are included in **the development, implementation and monitoring of policies**. A number of countries mentioned **umbrella NGO** representing people with disabilities as a key player, few countries did not mention such a platform and focused instead on **the national advisory council** at the government level that brings together government representatives with civil society and other stakeholders. Standard practice is that organisations representing people with disabilities are involved in the preparation of the new legislation and measures, checking their implementation and making proposals for the government. They are members of working groups set by the ministries and also of monitoring committees of the structural funds programmes.

EL mentioned **the parent movement** that plays an important role in social inclusion by developing and providing social care and housing services.

PL quoted **the voluntary community councils** composed of the NGOs and local administrations representatives that are consulting and advisory bodies to the local authorities. In April 2014 a **Round Table** was organised by the minister of labour and social policy to discuss a number of issues and legislative changes with a broad range of stakeholders including persons with disabilities and their carers, NGOs, etc.

FI pointed to the mandatory disability councils within local government based on the renewed legislation on local government.

SE mentioned that larger governmental agencies and also municipalities established advisory committees. It established **the user panel** of some 2000 people to learn about experiences from community life.

In **RO**, the National Council on Disability signed a cooperation protocol with the Ministry of Labour to enhance cooperation between civil society and the ministry on amending legal acts in the field of **social work**.

Disability dimension in other areas of Europe 2020

Replies to questionnaires identified few areas needing disability perspective under the Europe 2020 strategy, in addition to employment, education and social inclusion.

Accessibility and barrier-free Europe is identified by some countries (BE, BG, CZ, ES, LV, LT). Accessibility of goods and services, buildings and public areas, transport, information and communication technologies, media, economic affairs, culture, sports, housing, mobility was listed.

ES mentioned governance to ensure mainstreaming of accessibility and encouraging participation of the disability movement.

LT pointed to the need to focus more on improving educational access and quality for children with disabilities so that they could benefit more effectively from the accessible education system and the lifelong learning programmes.

Another area seen as important to include disability dimension is **research, development and innovation** (BE, CY, ES, SE). **BE** highlighted universal designed products as well as accessible formats for certain disabilities. **CY** stressed research and development in the area of assistive technologies. **SE** mentioned inclusive design and welfare-technology.

EE highlighted **health damage prevention and early treatment issues**.

EL stressed full participation in society and **independent / community living** and developing high quality community based support services and personal assistance.

Based on the indicators on poverty, **AT** recommended to emphasise correlation of disability and **poverty**, the prevention of poverty that should be realized in special programmes for young people including gender aspects.

PL, SI would like to see **mainstreaming** in the existing areas of the whole strategy.

Planned use of the EU funding 2014-2020 for people with disabilities

The European Structural and Investment Funds (ESIF) support measures to improve the living condition of persons with disabilities. The ESIF allocation is significant, in 2014-2020 in total €351.8 billion are available for funding for regional and cohesion policy and more than €86 billion for the European Social Fund. The range of activities that can be supported by ESIF is very wide and in principle they can cover almost all aspects of employment, social inclusion, education, etc.

As concerns **social inclusion**, a number of countries intend to support **de-institutionalisation and development of community based services**. The planned interventions aim to prevent placement of people into residential institutions and on opposite to ensure availability of alternatives to institutional care that means to develop community based services and increase their variety, accessibility and quality (BG, CZ, LV, LT, HU, PL, SI).

As concerns targeting of de-institutionalisation, **LV** pays special attention to children 0-3 and **LT** aims in particular to reduce the share of children and people with mental / intellectual disabilities in institutions.

Training is planned both for institutions participating in the DI process (**HU**) and specialists to provide new services (**LV**).

Support of **accessibility and quality of social and health services** has a wide coverage in the planned interventions of a number of countries. They cover services provision and development, investments into social and health infrastructure and also necessary changes in a view of ageing and increasing needs, adaptation of housing, training of workforce.

More specifically, **PL** mentioned standards for assistance services for persons with disabilities and **LT** pointed out to social services for people with epilepsy.

As concerns **employment, active inclusion** is seen as key for labour market integration and social inclusion (BG, ES, IT, LT, PL, SE, UK). **HU** intends to launch a major labour market integration programme supporting the elaboration of development plans for people with changed working capacity.

It was indicated that investments should be directed to **rehabilitation** (SE, HU, LT), **social entrepreneurship** (BG, EL, ES, LT, SI, SE), **adaptation of workplaces** (BG, HU), and support of **local projects** and activation of local stakeholders (EL).

Another area of planned interventions is expanding or developing **the disability assessment system** (CY, PL).

Education was mentioned by several countries, with a focus on reducing early school leaving (**IT**), development of inclusive education (**BG**), supporting literacies (**SI**), life-long learning (**UK**), education and training on the work place (**SE**).

PL highlighted **young people** and their vocational and educational activation and sustained integration into the labour market.

PL intends to use funding for increasing **capacity of entities** to implement UNCRPD and for activation of people with disabilities.

Involvement of the NGOs in the preparation of the programmes was reported (BG, DK, ES, IT, CY, LT, AT, PL). For example **ES** mentioned the Social Inclusion Net created in 2010 that is composed of different NGOs including on disabilities and intends among others to analyse and assess the impact of ESF on improving social inclusion.

Belgium

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Etat fédéral

- Current situation and trends since 2009

En [2013](#), le taux d'emploi s'élevait en moyenne à 1,57% (1,51% avec la Police fédérale), mais 10 organisations fédérales atteignaient ou dépassaient le quota de 3%.

Depuis 2009, la Commission d'accompagnement pour le recrutement de personnes avec un handicap dans la fonction publique fédérale (CARPH) veille à l'application de l'objectif de 3% réservé au recrutement de personnes handicapées : le taux d'emploi des personnes reconnues comme ayant un handicap a progressé dans la fonction publique fédérale (0,9% en 2009, 1,28% en 2010, 1,37% en 2011 et 1,54% en 2012) et le nombre d'organisations fédérales atteignant ou dépassant le quota de 3% est passé de 5 (en 2012) à 10 (en 2013).

Flemish Region

- Current situation and trends since 2009

The employment rate for persons with disabilities in Flanders currently amounts to 40.4%⁵⁰. The economic crisis has had a significant impact on disadvantaged groups and individuals in the labour market. The positive trend in the employment rate from before 2007 stopped and then decreased until 2010. Since 2010, there is again a positive trend showing a slight annual growth of the employment rate^{51 52}.

The Flemish government, together with the social partners and organized civil society, has established new targets for Flanders, enshrined in the *Pact 2020* and in the *Flemish Reform Programme Europe 2020*. In order to achieve the overall employment target in Flanders (at least 70% for 15-64 year or 76 % for 20-64 year), it will be necessary to increase that target for at-risk groups.

For disadvantaged groups in the labour market, the goal was formulated as a doubling of the annual growth rate to at least one percentage point. According to the Flemish Reform Programme, the initial employment target of 33.5%, starting in 2010, should reach 43% in 2020, which is quite close to the percentage reached in 2007 (42.7% for the 20-64 year group). Given the latest figures (2013), we are 2-3% below the target, so there is still much to be done to reach the minimum target.

Région wallonne

- Current situation and trends since 2009 :

⁵⁰ Details available on :

http://www.werk.be/sites/default/files/cijfers/Vlaanderen_in_2020/Werkzaamheid/figuren/pmah1.png

⁵¹ Details available on :

http://www.werk.be/sites/default/files/cijfers/Vlaanderen_in_2020/Werkzaamheid/figuren/pmah1.png

⁵² Additional statistical information :

http://www.werk.be/sites/default/files/onderzoek/publicaties/Handicap_en_Arbeid_Def_en_Stat_UPDATE_2013.pdf

Deux situations coexistent en Région wallonne : l'emploi ordinaire et l'emploi en services adaptés. En milieu ordinaire, le nombre de bénéficiaires d'une aide à la formation et à l'emploi n'a cessé de croître entre 2009 (4267 personnes) et 2013 (5309 personnes).

En ce qui concerne l'emploi en services adaptés, il existe 67 services agréés et subventionnés (13 centres de formation professionnelle spécialisée et 54 entreprises de travail adapté) dans le secteur de la formation et de l'emploi des personnes handicapées : en 2013, 9900 personnes en ont bénéficié.

Région de Bruxelles-Capitale

- Current situation and trends since 2009 :

En ce qui concerne l'insertion professionnelle, on constate que le nombre de personnes handicapées, pour lesquelles la Commission communautaire française (CoCoF) accorde une intervention pour favoriser leur inclusion professionnelle, n'a cessé d'augmenter entre 2009 et 2013, notamment les interventions pour compenser la perte de rendement (les 2 premières mesures des tableaux ci-après), ainsi que le contrat d'adaptation professionnelle :

	2009	2010	2011	2012	2013
Convention collective de travail n°26	32	29	25	25	20
Prime d'insertion	125	139	156	134	147
Contrat d'adaptation professionnelle	37	40	52	85	77
Prime à l'installation	9	12	14	12	16
Stage de découverte	5	6	13	20	14
Prime à l'intégration	0	1	1	0	0
Prime de tutorat	0	2	3	0	4
Prime à l'engagement	0	6	8	7	6
Poste de travail	8	4	7	10	20
TOTAL	211	239	279	292	304

D'autre part, 12 entreprises de travail adapté (ETA) sont subventionnées par la CoCoF.

Le quota total des personnes handicapées occupées dans le cadre du subventionnement est de 1450 mais il a été limité provisoirement à 1430 sur base d'un recensement (ces 1430 emplois sont occupés).

Par ailleurs, deux projets pilotes ont été créés, l'un en 2009, pour la formation des personnes handicapées trop faibles pour intégrer directement le travail en ETA, et l'autre en 2013, pour l'accompagnement spécifique des personnes handicapées en formation professionnelle.

Enfin, en ce qui concerne le recrutement dans la fonction publique, suite à l'Arrêté du 21 février 2013, relatif au statut des fonctionnaires, les services du Collège de la Commission communautaire française (CoCoF) sont tenus d'occuper un nombre de personnes handicapées fixé à 5% des emplois prévus au cadre.

Communauté française

- Current situation and trends since 2009:

Les services du Gouvernement et certains Organismes d'intérêt public (OIP) relevant de la Communauté française sont tenus d'employer des travailleurs handicapés à raison de 2,5%

des emplois prévus au cadre, ainsi que l'impose l'Arrêté du 21 décembre 2000 relatif à l'emploi de personnes handicapées dans la fonction publique.

Par ailleurs, cet arrêté dispose qu'aussi longtemps que le pourcentage d'occupation précité n'est pas atteint, 5% des nouveaux recrutements qui sont opérés par les administrations de la Communauté française doivent être réservés à des personnes handicapées.

German-speaking Community

- Current situation and trends since 2009

There is currently a waiting list for disability specific interventions.

Over the years, an increasing number of persons with disabilities have been asking for specialised interventions (orientation, qualification, supervision/monitoring, reasonable accommodations,...) on their first job on the labour market.

Education

Flemish Community⁵³

- Current situation and trends since 2009 :

During the school year 2012-2013, the following numbers were registered (% 2009 included as reference) :

	Nursery school			Primary school			Secondary school		
	Number	%	% 2009	Number	%	% 2009	Number	%	% 2009
Special education	2.023	0.75	0.81	28.481	6.77	6.73	20.177	4.60	4.08
Integrated education (GON)	1.620	0.61	0.55	4.905	1.16	1.10	5.235	1.19	0.82
Mainstream education (including GON-pupils)	265.953	99.25	99.19	392.351	93.23	93.27	418.817	95.40	95.92
Total	267.976	100.00	100.00	420.832	100.00	100.00	438.994	100.00	100.00

The numbers of pupils with special educational needs included in regular education (in the Flemish educational system known under the name integrated education or GON) in this table are only based on the number of administratively registered pupils.

However, in reality there are two groups of pupils which do also participate in regular education but are not included in these numbers:

- First group: Pupils with a moderate disability who receive special support and guidance in primary and secondary school, are only registered as pupils in integrated education for the first two years. After these 2 years, most of these pupils remain in mainstream education, but are no longer registered as integrated pupils.
- Second group: Pupils with autism spectrum disorder form an exception to this first group. This group does continue to receive support on the basis of extra budget. This group comprises about 3.000 pupils.

The total number of pupils in integrated education (GON) – including these two unregistered groups - is estimated to be at least 15.000. Accordingly, taking into account this number, still about 75% of all pupils with disabilities attend special schools.

Communauté française⁵⁴

⁵³ Competent authority for Flemish-speaking pupils in Flanders and the Brussels-Capital Region

⁵⁴ Autorité compétente pour les élèves francophones en Wallonie et la Région de Bruxelles-Capitale

- Current situation and trends since 2009 :

L'intégration, définie dans le décret du 3 mars 2004 organisant l'enseignement spécialisé, permet à des élèves à besoins spécifiques de suivre des cours dans l'enseignement fondamental ⁵⁵, tout en étant accompagnés par du personnel de l'enseignement spécialisé.

Deux dimensions définissent le projet d'intégration :

- la première est la durée du projet : soit l'intégration est temporaire (un ou plusieurs moments dans l'année scolaire), soit l'intégration est permanente (l'année scolaire entière)
- la deuxième dimension concerne la quantité de cours suivis dans l'enseignement ordinaire : soit l'intégration est partielle (une partie des cours sont suivis) soit totale (tous les cours sont suivis).

Il existe donc quatre manières d'intégrer ces élèves: de manière permanente totale, permanente partielle, temporaire totale ou temporaire partielle.

Les derniers chiffres (2013), relatifs à l'intégration des élèves à besoins spécifiques dans l'enseignement ordinaire, sont les suivants :

- permanente totale : 750
- permanente partielle : 44
- temporaire totale : 397
- temporaire partielle : 10

Entre 2009 et 2012, le nombre total d'élèves concernés par l'intégration a plus que doublé, passant de 512 à 1201. C'est principalement par l'intégration permanente totale que les élèves du spécialisé sont intégrés dans l'enseignement ordinaire ⁵⁶.

German-speaking Community

- Current situation and trends 2009

The Decree of 11 May 2009 about the *Zentrum für Förderpädagogik* (Centre for special needs education) has been one of the milestones for a more inclusive school system in the German-speaking Community. An increasing number of pupils with special needs attend classes in mainstream schools. Learners with and without special needs are taught in a way which takes more and more care of their individual needs. Adequate new supporting systems for pupils, teachers and schools and in service trainings help modify school cultures, improve teaching methods, ensure early intervention, etc. These goals will be consolidated in the current legislation in order to improve skills level of pupils with or without special needs in mainstream schools.

An increasing number of pupils with (minor) special educational needs (such as dysphasia, dyscalculia, ADHD, down syndrome etc.) have attended classes in the regular school system since 2009, while data show a slight decrease of the number of children attending special schools.

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Flemish Region

- Current situation and trends since 2009:

⁵⁵ L'enseignement fondamental couvre l'enseignement maternel et primaire

⁵⁶ Données statistiques supplémentaires : http://www.enseignement.be/download.php?do_id=10350&do_check=

A wide range of support systems are available, varying from residential over semi-residential care to ambulant services, and sheltered living in normal society, in different forms, as well as personal assistance budgets, depending on the indicated needs of support and on the choice of the PWD themselves.

A new policy plan has been launched – the so called plan Perspective 2020 – resulting in new types of support systems (e.g. services for inclusive support) and in experimental projects aiming at community building, strengthening the social networks of disabled persons, and in empowering the regular social services for all to deal with persons with disabilities by outreach and other means. As the most visible exponent of this policy plan, one is now elaborating the implementation of a so called person following budget plan, by means of which persons with disabilities can make use of cash or a voucher to seek for the support they need.

Région wallonne

- Current situation and Trends since 2009:

L'objectif de l'AWIPH, dans sa mission inclusive, est de permettre aux personnes handicapées de trouver dans l'offre de services, accessibles à tout citoyen, des prestations qui soient adaptées à leurs besoins et en accord avec leur choix de vie, dans tous les domaines de la vie quotidienne : éducation, formation, emploi, vie à domicile, logement, loisirs, santé, déplacements, communication, participation sociale.

Divers types d'aide existent :

- [L'aide individuelle à l'intégration](#), qui intervient dans le coût d'aides techniques, d'aménagements du domicile et de certaines prestations de service qui favorisent le maintien à domicile ou l'intégration sociale des personnes en situation de handicap : 1640 personnes handicapées en ont bénéficié en 2013. Ce nombre de bénéficiaires a été multiplié par 2,34 entre 2005 (4568 personnes) et 2013 (10730 personnes).
- [Le budget d'assistance personnelle](#) (BAP), qui consiste à octroyer un budget aux personnes handicapées très dépendantes, pour répondre à leurs besoins d'assistance à domicile. Cette aide est accordée en fonction des budgets disponibles et des critères d'attribution fixés chaque année par le Gouvernement wallon : en 2013, 359 budgets ont été actifs.
- [La transition des jeunes 16-25 ans](#) (fin de la scolarité) :
Pour éviter une rupture pénalisante dans leur processus d'inclusion, 302 jeunes personnes ont bénéficié d'un accompagnement individuel, entre le 1^{er} janvier 2010 et le 31 décembre 2013.

Des services d'accompagnement agréés et subventionnés, au nombre de 105, existent également dans le secteur de l'aide en milieu de vie, favorisant l'intégration des personnes handicapées (enfants et adultes) dans le milieu ordinaire, grâce à un accompagnement spécialisé : 8.204 personnes handicapées en ont bénéficié en 2013 (7.966 en 2012, soit une augmentation de 3% en un an), réparties comme suit, par type de service :

Cependant, malgré ces nouveaux modes de prise en charge, les services spécialisés – les institutions – sont encore légion dans le secteur de l'accueil et de l'hébergement des personnes handicapées en Région Wallonne; ce sont, fin 2013, au total : 344 services agréés et subventionnés (317 en 2012) ; 8.901 bénéficiaires (8.763 en 2012) et 63,32 % des dépenses de l'AWIPH.

L'AWIPH compte aussi 57 services agréés partiellement subventionnés, recevant 894 bénéficiaires (861 en 2012). Les services recevant une autorisation de prise en charge (A.P.C.) sont au nombre de 122 pour un maximum de 5.872 personnes en situation de handicap. Les structures destinées aux résidents français disposent toujours au minimum de cette autorisation de prise en charge.

Pour bénéficier de cette autorisation, les services doivent respecter des normes en matière d'hygiène et santé, de personnel, de direction... Ces normes sont régulièrement (tous les 2 ans et demi au minimum) contrôlées par le service Audit & Contrôle de l'AWIPH. En cas de problème, le service fera l'objet d'un plan de suivi jusqu'à sa mise en conformité.

Toutefois, une évolution certaine vers la désinstitutionnalisation se fait sentir : les services de logement supervisé étaient 39 en 2012. Leur nombre est passé à 62 en 2013. De même, le nombre de bénéficiaires de ces services a crû de 331 à 432.

German-speaking Community

- Current situation and trends since 2009:

There are no waiting lists in day care and housing facilities for persons with severe disabilities. As a result of specialised services offered to persons with disabilities, a trend analysis shows stable to slightly increasing numbers of demands in the fields of counselling and housing, but a significant increase of demands in accompaniment and mobility.

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

Employment

Etat fédéral

Suite à la 6^{ème} réforme de l'Etat (1^{er} juillet 2014), certaines compétences et mesures en matière d'emploi sont progressivement transférées du Fédéral vers les Régions et Communautés à partir du 1^{er} janvier 2015. Par contre, les règles relevant du droit individuel et collectif du travail, en ce compris le bien-être au travail, et les règles relevant de la sécurité sociale restent fédérales, de même que les dispositifs de concertation sociale et la politique salariale.

Une étroite collaboration entre le gouvernement fédéral et les gouvernements des Régions et des Communautés reste d'actualité dans certains domaines liés à l'emploi :

- Le Conseil national du travail (CNT) est un organe paritaire national et interprofessionnel, compétent dans les matières sociales : diverses lois lui confèrent une mission d'avis ou de propositions en ce qui concerne le droit du travail individuel et collectif (durée du travail, contrats de travail, protection de la rémunération, ...), ainsi qu'en droit de la sécurité sociale (assujettissement à la sécurité sociale, notion de rémunération cotisable, pensions, ...).

Le CNT a également le pouvoir de conclure des conventions collectives de travail, soit pour l'ensemble des secteurs d'activités économiques, soit pour l'un de ces secteurs.

C'est ainsi que des conventions collectives de non-discrimination sur base, entre autres, du handicap y ont été conclues, en matière de recrutement, de sélection, d'emploi et de rémunération des travailleurs, détaillées dans la publication intitulée '[Vade-mecum des mesures d'intégration professionnelle des travailleurs handicapés](#)' (dernière mise à jour en septembre 2012), qui reprend également d'autres législations et aides à l'emploi en vigueur aux niveaux fédéral, régional et communautaire. Enfin, plus récemment, suite à l'[arrêté royal du 17 février 2013](#), un certain nombre d'employeurs liés par une convention collective de travail spécifique doivent réserver un effort d'au moins 0,05 % de la masse salariale en faveur d'un ou plusieurs groupes cibles, dont les personnes âgées, les jeunes et les personnes handicapées.

- Un [protocole relatif aux aménagements raisonnables](#), conclu le 19 juillet 2007 entre l'Etat fédéral, la Communauté flamande, la Communauté française, la Communauté germanophone, la Région wallonne, la Région de Bruxelles-capitale, la Commission communautaire commune, la Commission communautaire française, a pour objectif d'établir des principes et indicateurs communs pour l'interprétation du concept d'aménagements raisonnables.

Ainsi, un aménagement raisonnable est une "mesure concrète pour neutraliser l'impact limitatif d'un environnement non adapté sur la participation d'une personne handicapée".

L'aménagement doit être efficace afin de permettre à la personne handicapée de participer effectivement à une activité, permettre une participation égale et autonome de cette personne et assurer sa sécurité. Le caractère raisonnable de l'aménagement est évalué à la lumière d'une liste non limitative d'indicateurs cités par le protocole.

- Accès à l'information :
 - Mesures de promotion de l'emploi : un [site Internet](#) a été développé en collaboration entre l'Etat fédéral, la Région flamande, la Région wallonne, la Région de Bruxelles-capitale et la Communauté germanophone. Ce site répertorie les mesures de promotion de l'emploi et donne un aperçu des avantages et primes accordés à l'employeur ou aux travailleurs, en ce inclus les travailleurs handicapés.
 - Bien-être au travail : le '[Belgian Safe Work Information Center](#)' (BeSWIC) est le centre de connaissance belge qui a pour objet de faciliter l'accès à l'information concernant le bien-être au travail, notamment pour les personnes handicapées.

Par ailleurs, le *Centre interfédéral pour l'égalité des chances*, en collaboration avec le ministre fédéral pour l'emploi et l'égalité des chances, les trois ministres régionaux en charge de l'emploi et l'*Institut pour l'égalité des femmes et des hommes*, a initié un programme de recherche réalisé par deux consortiums universitaires, dont les résultats ont été publiés en 2012, dans le premier [Baromètre de la diversité : Emploi](#)⁵⁷. Il s'agit d'un instrument de mesure structurel qui dresse de manière scientifique un état des lieux de la gestion de la diversité en Belgique, et plus largement de l'attitude à l'égard de personnes caractérisées entre autres par leur âge, leur origine, leur orientation sexuelle ou leur handicap.

Au niveau fédéral proprement dit, diverses mesures ont été prises en vue de favoriser l'accès au marché de l'emploi de certaines catégories de demandeurs d'emploi, parmi lesquels les personnes handicapées :

- Interventions financières dans les rémunérations et les cotisations de sécurité sociale

⁵⁷ La prochaine édition est prévue pour 2018

Les deux principales mesures de réduction de cotisations patronales de sécurité sociale et de subventions salariales sont les suivantes ⁵⁸ :

- *Aide à l'emploi de demandeurs d'emploi avec une capacité de travail réduite* :
Dans le cadre du [plan Activa](#), l'Office national de l'emploi (ONEM) paie directement au travailleur ayant une aptitude de travail réduite une partie de sa rémunération (allocation de travail), dans la mesure où il satisfait à certaines conditions. L'employeur peut déduire le montant de cette allocation de travail du salaire net à payer au travailleur. Il peut en outre bénéficier d'une réduction des cotisations patronales de sécurité sociale.
- *Mesure "[Economie d'insertion sociale](#)" (SINE)* :
Cette mesure favorise la réinsertion de chômeurs très difficiles à placer dans l'économie sociale d'insertion, c'est-à-dire notamment, les entreprises de travail adapté (E.T.A.) et les ateliers sociaux, les entreprises d'insertion et les employeurs qui organisent des initiatives d'économie sociale locale. Peut être occupé dans le cadre de cette mesure, sous certaines conditions, un chômeur de longue durée, c'est-à-dire qu'au moment de son entrée en service, le travailleur ne doit pas être en possession d'un diplôme ou d'un certificat de l'enseignement secondaire supérieur et être chômeur complet indemnisé (ou assimilé). L'employeur paye la totalité de la rémunération nette au travailleur mais reçoit de l'ONEM une subvention salariale (allocation de réinsertion) ou une fraction de ce montant en cas de travail à temps partiel. Il peut en outre bénéficier d'une réduction des cotisations patronales de sécurité sociale.

- **Projet pilote**

Début octobre 2014, la Direction générale personnes handicapées du SPF Sécurité sociale a lancé un projet pilote, destiné à soutenir les personnes bénéficiaires d'une allocation de handicap, qui souhaitent accéder au marché du travail. Il s'agit d'un accord de coopération entre le VDAB (service d'emploi public de la Flandre), les services spécialisés pour l'accompagnement de parcours, les mutualités et la DG Personnes handicapées. Des discussions sont également en cours entre la DG Personnes handicapées et le Forem (service public de l'emploi et de la formation en Wallonie) en vue de mettre sur pied un projet pilote similaire pour la Communauté française.

- **Recrutement dans l'administration fédérale**

Depuis le 1er janvier 2013, le gouvernement a renforcé les mesures favorisant le recrutement de personnes présentant un handicap dans la fonction publique fédérale, afin que les services publics atteignent l'objectif de 3% réservé au recrutement de personnes handicapées. L'évolution du taux d'emploi des personnes handicapées (voir point 1.a.) est révélatrice des [actions et efforts](#) fournis par les organisations fédérales afin de promouvoir le recrutement de ces personnes et d'atteindre le quota de 3% prévu par l'arrêté royal du 5 mars 2007.

En outre, le gouvernement fédéral a introduit le droit pour les personnes présentant un handicap de réaliser leur stage avec des prestations réduites à concurrence de la moitié ou à concurrence d'un cinquième des prestations.

Par ailleurs, le Service public fédéral (SPF) Personnel et organisation a publié une [brochure](#) afin de favoriser l'accueil et l'intégration de collaborateurs avec un handicap ou une maladie chronique.

- **Adaptation des postes de travail et procédures de sélection dans la fonction publique**

Chaque organisation fédérale doit prendre en charge les frais liés aux adaptations de postes de travail pour son personnel. Une brochure éditée par l'Agence fédérale de

⁵⁸ Suite à la 6^{ème} réforme de l'Etat (1^{er} juillet 2014), ces mesures seront progressivement transférées du Fédéral vers les Régions et Communautés à partir du 1^{er} janvier 2015 : http://www.emploi.belgique.be/detailA_Z.aspx?id=41755#

recrutement (SELOR), intitulée '[Adaptations de poste de travail Optima HA](#)', propose un plan par étapes et toute une série de conseils visant à accompagner les travailleurs avec un handicap et à prévoir les aménagements nécessaires pour eux.

Par ailleurs, les procédures de sélection ont été adaptées au sein du SELOR : l'arrêté royal du 6 octobre 2005, modifié par l'arrêté royal du 5 mars 2007, prévoit que pour chaque sélection comparative de recrutement, il est établi une liste de lauréats et une liste spécifique de personnes handicapées lauréates. Ces personnes handicapées n'y figurent qu'à leur demande et gardent leur classement sans date limite de validité. En outre, la personne handicapée peut demander de bénéficier d'aménagements raisonnables lors de sa participation à la sélection comparative de recrutement ou au test de sélection.

- Campagne de recrutement de travailleurs handicapés dans l'administration fédérale
A l'approche de la *Journée internationale des personnes handicapées*, le 3 décembre 2014, le SELOR a lancé à nouveau sa campagne '[Handicapable](#)', afin de créer davantage d'opportunités sur le marché du travail pour les personnes handicapées.

Flemish Region

Alongside the existing policy on disadvantaged groups and individuals in the labour market, the Flemish government took additional specific measures in 2013, with a view to introducing the guarantee of employment for young people and reducing youth unemployment.

As a result, in addition to 2,500 extra places foreseen for the intensive support of young people, 500 additional places will be provided for young disabled persons. Furthermore, employment policies will be focused on disadvantaged groups in the labour market, one of the three target groups in years to come ⁵⁹.

Région wallonne

L'AWIPH mène de nombreuses actions de sensibilisation, de conseil, de soutien et/ou d'accompagnement afin d'encourager l'insertion professionnelle des personnes en situation de handicap. Elle peut en outre octroyer des aides financières aux travailleurs en situation de handicap et/ou aux entreprises qui les emploient, sous certaines conditions ⁶⁰.

Des projets ont été créés, orientés non seulement vers la personne handicapée et les employeurs, mais également les [intermédiaires de l'emploi](#) (agents d'insertion). Ils concernent principalement la sensibilisation, les incitants à l'emploi et les aménagements raisonnables, comme c'est le cas pour les projets suivants :

- [Transition 15-24 ans](#)
- [Activités citoyennes](#)
- [Formations spécialisées](#)
- [Soutien vers et dans l'emploi](#)
- [Contrat d'adaptation professionnelle](#)
- [Ergojob](#)
- [Sensibilisation des intermédiaires de l'emploi](#)
- Campagne '*Formation et Emploi*', visant tant les [travailleurs](#) handicapés que les [employeurs](#).

⁵⁹ General information on disability policy :

http://www.werk.be/sites/default/files/onderzoek/publicaties/Handicap_en_Arbeid_Beleidsontwikkelingen_UPDATE2013.pdf

⁶⁰ Chaque année, l'AWIPH publie une étude contenant des informations sur l'utilisation de ces aides : <http://www.awiph.be/documentation/publications/Emploi/index.html>

Par ailleurs, l'AWIPH poursuit des projets novateurs : par exemple, le 30 mai 2013, elle a lancé la première édition du *Duoday*, journée pendant laquelle une entreprise ouvre ses portes à une personne handicapée et qui a rassemblé 45 duos au sein de 30 entreprises.

Enfin, face au constat qu'un certain nombre de personnes handicapées rencontrent d'importantes difficultés à garder leur emploi, l'AWIPH pilote depuis 2005, un projet visant à implanter en Région wallonne la méthodologie du '*supported employment*' : au total, 14 services sont actifs dans le domaine du '*jobcoaching*' (accompagnement et formation professionnelle) des personnes handicapées, permettant d'employer 14,5 ETP (équivalents temps plein) de job coaches en.

En 2013, 599 personnes ont bénéficié du projet de soutien dans l'emploi.

Région de Bruxelles-Capitale

La Commission communautaire française (CoCoF) offre 4 types d'intervention pour compenser la perte de rendement du travailleur handicapé :

- la prime d'insertion : intervention dans le salaire
- la prime d'installation : idem mais pour les indépendants
- la prime à l'engagement : créée récemment, elle concerne les contrats de courte durée comme, par exemple, l'intérim.
- la CCT26 : le pourcentage de perte de rendement est fixé par le fédéral mais l'intervention est octroyée par la CoCoF.

D'autres mesures d'intégration professionnelle existent également, telles que :

- Le contrat d'adaptation professionnelle : il prévoit une période d'adaptation mutuelle entre la personne handicapée et l'employeur qui est chargé de la former.
- Le stage de découverte permet à la personne handicapée de découvrir le monde du travail; maximum 10 jours et non rémunéré.
- La prime à l'intégration : permet à l'employeur de donner une formation à des collègues d'un travailleur handicapé; cette formation est liée au handicap du collègue (exemple : la langue des signes).
- La prime de tutorat : permet à un travailleur d'accompagner un collègue handicapé à son arrivée dans l'entreprise.
- L'adaptation du poste de travail : la CoCoF rembourse tous les frais supplémentaires liés au handicap.

En plus de ces mesures, la CoCoF donne des fiches d'information et une notice d'information; toutes les informations se retrouvent sur le site de *Phare* (*Personne Handicapée Autonomie Recherchée*) qui dépend de la CoCoF. Les personnes handicapées peuvent être reçues au secteur de l'espace-accueil ou avoir un entretien d'orientation avec un membre de l'équipe pluridisciplinaire.

Outre des services pouvant accompagner vers l'emploi, la formation ou le volontariat, la CoCoF a mis sur pied un projet-pilote, intitulé '*PoolH*' pour stimuler l'emploi des personnes handicapées à Bruxelles ⁶¹.

⁶¹ Plus de détails sur : <http://phare.irisnet.be/emploi/pistes-pour-rechercher-un-travail/>

Enfin, la CoCoF collabore avec différents organismes ou associations pour favoriser l'inclusion professionnelle des personnes handicapées, comme la consultation sociale d'Actiris, Bruxelles-formation, les services d'accompagnement, les missions locales,...

German-speaking Community

The transition to a system of supported employment proceeds further. Besides the elaboration and testing of access criteria for specialised support, a specialised occupational counselling has been established by the '*Dienststelle für Personen mit Behinderung*' (Office for persons with disabilities). In line with the EU Youth Guarantee, ESF means have been used to enhance the employment situation of young persons with disabilities. In addition, a new project intended to improve the transition from school to labour market has been implemented.

Education

Flemish Community

The Government of Flanders is aware that the majority of pupils with disabilities attend special schools as a result of convictions, in the educational world in Flanders, that the best education for these pupils could be offered by special schools. However, since 1986 the Government is investing in integrated education, gradually making its educational system more inclusive. Transforming the Flemish educational system into an inclusive system requires a lot of investment and time.

This year, with the new Parliament Act concerning measures for pupils with special educational needs, the '*M-Decree*', the Government took a further important step towards a more inclusive educational system.

After years of debate about fundamental changes of the school system for pupils with disabilities and international developments such as the CRPD and the European revised Charter, the Flemish Parliament voted a new Parliament Act on March 21st 2014 regarding measures for pupils with special educational needs⁶² (the M-Decree⁶³). With this Decree, the Government of Flanders chose to develop its educational system towards inclusion. In its advice on the M-Decree, the Council of State emphasised that, following the ratification of the CRPD in 2009, inclusive education for pupils with disabilities should be the rule and not the exception. The Council further pointed out that, following Article 4 (2) CRPD, this inclusive education should be realised progressively, taking into account the Government's available resources.

The M-Decree contains provisions, tools and instruments which take steps towards inclusive education:

- the M-Decree supports the transition from the medical to a social model of disability. The decree provides a definition of 'pupils with special educational needs' which is based on the social model of disability and the framework of the International Classification of Functioning, Disability and Health for Children and Youth (ICF-CY). The identification of these pupils will not primarily be concerned with the pupil's limitations, but will rather

⁶² Official name: "*Het Decreet betreffende maatregelen voor leerlingen met specifieke onderwijsbehoeften*"

⁶³ Decrees are the legislative acts adopted by the regions and communities. They have the same legislative value as laws adopted by the federal legislator.

focus on an analysis of the educational and supportive accommodations needed and of the effectiveness of the measures already taken in the mainstream school;

- the M-Decree legally anchors the obligation to provide reasonable accommodations in mainstream education in the mission statement of mainstream primary and secondary education and the obligation for schools to work together with the pupil guidance centre and parents in a systematic, planned and transparent way. Comparable measures are taken in the legislation about higher education. A few brochures and action oriented diagnostic protocols have already been compiled to familiarise schools with this. With the M-Decree we also invest in skills development by appointing an additional team of educational advisers;
- the M-Decree revises the rules regarding the right to enrol for pupils with special educational needs, this revision will enter into force on 1 January 2015. The M-Decree stipulates that pupils who are capable to participate in the joint curriculum when provided with reasonable accommodations, are fully entitled to enrol in mainstream education. Pupils who have a statement which entitles them to an individual adjusted curriculum are enrolled by a mainstream school under resolute conditions. The school is supposed to assess the reasonableness of the necessary accommodations. To that end it has to consult with the parents, the class council and the pupil guidance centre on the accommodation measures required to allow the pupil to make study progress on the basis of an individual adjusted curriculum. When parents disagree with the school's refusal of the enrolment, they can lodge a complaint with the Commission on Pupils' Rights (*Commissie inzake leerlingenrechten* or CLR). The M-Decree reinforces this legal review procedure by adjusting the responsibilities, composition and consequences of the decisions taken by the Commission on Pupils' Rights. Harmonisation will also take place with those bodies that are charged with monitoring, following up and safeguarding the implementation of Article 33 (2) CRPD and Article 40 of the Flemish Parliament Act of 10 July 2008 containing a framework for the Flemish equal opportunities and equal treatment policy. The adjusted procedure guarantees the involvement of (representatives of) persons with disabilities, education providers and staff in the decisions on the merits regarding complaints presented to it;
- The M-Decree contains a scheme of guarantee regarding the funding for the support and accommodations of pupils with disabilities. The scheme of guarantee entails that when there is a realisation of a lower expenditure for special education in relation to the reference school year (school year before the implementation of the M-Decree), the resources that have become available for that year will be invested –via *envelop funding*⁶⁴– in the support of the pupils with disabilities in the mainstream and special education. The goal is to realise inclusive education in collaboration with the special educational system, as we need its general and disability-specific expertise in mainstream education.

Communauté française

Diverses mesures ont été prises en faveur de l'intégration des élèves à besoins spécifiques dans l'enseignement ordinaire, parmi lesquelles :

- Modification régulière du chapitre afférent à leur intégration (chapitre X du décret du 3 mars 2004, organisant l'enseignement spécialisé et consacré à cette intégration) et ce, pour améliorer l'inclusion de ces élèves dans l'enseignement ordinaire.
- Budget supplémentaire pour accorder 900 périodes complémentaires pour l'intégration temporaire totale

⁶⁴ Envelop funding: a way of funding by which an organization receives a lump sum which it can freely use for its assignments/tasks.

- Distribution de la brochure sur les aménagements raisonnables
- Nombreuses séances d'information par les différents réseaux d'enseignement sur les mesures en faveur de l'intégration
- Appel à l'intervention de [Cap48](#) qui peut financer des projets d'adaptations architecturales (rampes, ascenseurs, etc.)
- Intervention des Services d'Aide à l'Intégration (SAI – AWIPH – Phare), suite à un accord de coopération avec la Région wallonne, afin de favoriser l'intégration des enfants à besoins spécifiques dans les établissements scolaires ordinaires.

German-speaking Community

A new legislation regarding children with special needs became effective in 2009. A progressive development of the Centre for special needs education (*Zentrum für Förderpädagogik*) into a resource centre is foreseen in the years to come. One of the challenges will be to gradually change our mainstream schools into inclusive schools.

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Etat fédéral

Dans le cadre de la lutte contre la pauvreté et l'inclusion sociale, les Programme de réforme (PNR), Rapport social national (RSN) et Plan national de lutte contre la pauvreté infantile, ainsi que d'autres initiatives, sont le fruit d'une étroite collaboration entre le gouvernement fédéral et les gouvernements des Régions et des Communautés :

- Le [Programme national de réforme 2015](#) englobe les mesures prises au cours des douze derniers mois par le gouvernement fédéral et les gouvernements des Communautés et Régions afin de rencontrer les objectifs fixés dans le Programme national de réforme d'avril 2011, parmi lesquels figure l'inclusion sociale. Les objectifs ambitieux du Programme national de réforme de 2011 ont été confirmés en 2014, en dépit de la situation économique difficile.
- Le [Rapport social national 2015](#) analyse le contexte économique et social, ainsi que les progrès réalisés dans la mise en œuvre des objectifs communs de la MOC sociale. Il évalue l'impact de l'objectif belge "Europe 2020" en matière de pauvreté et d'exclusion sociale, à savoir réduire la population à risque de pauvreté, ou d'exclusion sociale, de 380.000 unités d'ici 2020 (EU-SILC 2020) par rapport à 2008 (EU SILC 2010). Le rapport fournit également un aperçu des principales mesures prises récemment en matière d'inclusion sociale, de pensions et de soins de santé.
- Le [Plan national de lutte contre la pauvreté infantile](#), approuvé en juin 2013, s'inspire de la recommandation de la Communauté européenne et s'articule autour de trois domaines politiques fondamentaux pour lutter contre la pauvreté des plus jeunes et favoriser leur bien-être, à savoir : 1) accès à des ressources adéquates, 2) accès à des services de qualité et 3) opportunités et participation des enfants. Un quatrième objectif stratégique vise à conclure des partenariats horizontaux et verticaux entre les différents domaines politiques et les différents niveaux de pouvoir. Chaque objectif stratégique se traduit par des objectifs opérationnels, liés à leur tour à 140 actions concrètes. Ces points d'action doivent permettre à la Belgique d'atteindre l'objectif européen qui consiste à sortir 380 000 Belges de la pauvreté d'ici 2020 : cela signifie qu'il faut sortir au moins 82.000 enfants de la pauvreté ou de l'exclusion sociale.
- Le [Service de lutte contre la pauvreté, la précarité et l'exclusion sociale](#) a été créé par l'Etat fédéral, les Communautés et les Régions, par un accord de coopération signé par leurs Gouvernements respectifs. Sur la base de ses travaux, il formule des

recommandations qui font l'objet de discussions dans tous leurs Gouvernements et Parlements, ainsi que dans des instances consultatives. Le chapitre 3 de son dernier [rapport bisannuel](#) est consacré aux problèmes de pauvreté chez les personnes malades ou handicapées.

- Le [Baromètre Interfédéral de la Pauvreté](#) a pour objectif principal de mieux faire connaître le phénomène de la pauvreté, laquelle affecte de nombreuses personnes en Belgique, parmi lesquelles les personnes handicapées.
- La [Plateforme belge contre la pauvreté et l'exclusion sociale UE2020](#), créée en 2010, tient lieu d'organe de concertation central pour la préparation et le suivi de la politique belge dans le domaine de la pauvreté et de l'exclusion sociale. Bien qu'elle ne dispose d'aucun pouvoir en matière d'élaboration des politiques, cette plateforme se réunit régulièrement et organise des journées 'Porte ouverte' tous les deux ans, dans le contexte du suivi du Plan national de réforme et du Rapport social national : des conclusions et des recommandations y sont formulées, dont les dernières datent de février 2015⁶⁵.

En ce qui concerne le niveau de vie et le risque de pauvreté, pas moins de 39% des personnes handicapées bénéficiant d'une allocation fédérale de handicap vivent sous le seuil de pauvreté européen : c'est l'une des conclusions d'une enquête assez récente, intitulée '[Handilab](#)'⁶⁶.

Des actions ont été prises pour lutter contre la pauvreté et améliorer le niveau de vie des groupes à risques au niveau fédéral proprement dit :

- Lutte contre la pauvreté
Le second [plan fédéral de lutte contre la pauvreté](#) s'articule autour de 6 objectifs stratégiques qui se déclinent en 33 objectifs opérationnels et 118 actions qui visent à atteindre l'objectif européen, à savoir sortir 380.000 Belges de la pauvreté d'ici 2020 : un [rapportage sur le suivi](#) de ce plan est effectué régulièrement, le dernier datant d'avril 2014.
- Congé parental pour les fonctionnaires parents d'enfants handicapés
Dans la fonction publique fédérale, un congé parental peut être pris par chaque parent et ce, pour chacun de leurs enfants de moins de 12 ans. L'[arrêté royal du 14 avril 2013](#) relève cette limite d'âge, lorsqu'il s'agit d'enfants handicapés, permettant ainsi aux membres de la fonction publique fédérale de prendre un congé parental de 4 mois, et ce, jusqu'aux 21 ans de leur enfant ayant un handicap ou une affection répondant à des critères spécifiques.

Enfin, le *Centre interfédéral pour l'égalité des chances*, en collaboration avec la ministre fédérale pour l'égalité des chances, les trois ministres régionaux en charge du logement et l'*Institut pour l'égalité des femmes et des hommes*, a initié un programme de recherche réalisé par deux consortiums universitaires, dont les résultats ont été publiés en 2014 dans le premier [Baromètre de la diversité : Logement](#)⁶⁷. Il évalue l'ampleur et les formes de la discrimination à l'égard des groupes cibles défavorisés, parmi lesquels figurent les personnes handicapées, dans le secteur du logement tant public que privé. En effet, le logement constitue l'un des piliers essentiels de l'insertion sociale et son accès est confronté à de nombreux écueils : offre publique insuffisante, coût élevé du logement privé, insalubrité, contexte de crise économique, manque de logements adaptés, etc.

⁶⁵ <http://www.mi-is.be/be-fr/formulaire/opinion-de-la-plateforme-belge-contre-la-pauvrete-et-l-exclusion-sociale-ue2020-sur-le-pr>

⁶⁶ Enquête publiée en 2012 par la 'Katholieke Universiteit Leuven', à la demande du Service public fédéral (SPF) Sécurité sociale et du Service public de programmation (SPP) Politique scientifique.

⁶⁷ La prochaine édition est prévue pour 2020

Flemish Community

Until now, the Flemish policy for people with a disability strongly invested in the creation of additional places in care. This care cannot be narrowed to residential institutions like in the past. On the contrary, nowadays, a wide scale of different services exists to meet the needs of the diversity of people with a disability. It should be stressed also, that many people with a disability explicitly ask for support given by services in a residential or semi-residential setting.

However, policy makers in Flanders are aware of the fact that extending places in specialised care only, cannot meet all the needs and that new ways of support have to be explored. Therefore, the Flemish government and the Flemish Minister of Welfare developed a new system of support, based on the conceptual model known as 'circles of support'. In this model, all sources of support are being explored in order to constitute a personal support plan that matches the needs of each individual. The person itself is at the centre of this model and decides on the sources to be used. Family members, devices, but also neighbours, friends, or regular services may be part of these personal support plans. Finally, also handicap specific support systems may contribute to such support plans. To realise this, a new decree has been voted, to implement a so called personal following budget system, allowing people with a disability to buy the specific support they want. A two-step model will be implemented in which a basic support budget is foreseen for all those being recognised as persons with a disability with basic needs for support, allowing them to spend this budget as they want, in addition to a handicap specific budget, meant for those who depend on support from specialised services. In the new system a disabled person can choose to use his budget either to organise support himself, or to buy in support from an institution.

We expect the combination of a further augmentation of the budget for support on the one hand, and the implementation of the above mentioned new system of support on the other hand, to be a mile stone in the Flemish policy for people with a disability in coping with the needs of people with a disability in the near future.

About the residential care: these are not closed places, where people have no autonomy or no possibility to choose between different systems. Over the last decades the policy in Flanders was oriented on creating a rich variety of supporting services and institutions for people with disabilities. Before the nineties, there was mainly a strong investment on well surrounded (semi-)residential care, but from that period on, a variety of services was created. Some services aim to support families with people with disabilities, others are offering support in guided or sheltered living for people that live autonomous in society, or in small group houses. Because of the many questions for support for people with severe disabilities, also the (semi-)residential sector was expanded. Within this residential care, a advising border of the clients is obligatory. Also on the individual level services and institutions are obliged to take in account individual needs, and the persons with disabilities have the right to be involved in the evaluation and creation of their personal plan of support.

People have a free choice which kind of services they want to use. Also the system of personal assistance budgets was installed. Although the yearly governmental budget/year is 1,4 billion euro, the cost of residential care and personal assistance budgets is very high, in a way that today it causes a gap between people who enjoy quality care and those who are waiting for access.

During the former governmental period, important extra financial means were therefore made available to allow to expand the offer. This way 146 million euro were made available, despite the difficult economic situation. At the same time, the possibility is created that people, even if their disability is not recognized yet, can count on a certain amount of hours of assistance, at their homes or in an organization, or can make use of a short-stay, to relax (24-48 hours, free to take them at once or divided over several periods ('*rechtstreeks toegankelijke hulp*' = directly accessible help).

Besides all this, the Flemish Agency for people with disabilities (VAPH) finances the support of a wide range of devices (e.g. adaptation of the house, the bathroom, car adaptation, devices for hearing- or visually-impaired people,...) which enable persons with disabilities to live independently.

Région de Bruxelles-Capitale

Dans le cadre de ses missions en matière sociale, l'Observatoire de la Santé et du Social de la Région de Bruxelles-Capitale développe, entre autres, des activités permanentes de récolte, d'analyse et de diffusion de l'information existante en matière de pauvreté⁶⁸. Ce travail est réalisé en vue de l'élaboration de politiques coordonnées de lutte contre la pauvreté. La rédaction du [rapport bruxellois sur l'état de la pauvreté](#) fait partie de cette mission.

German-speaking Community

Maintaining high standards in matters related to social inclusion is the primary aim. This should be realised by making use of a wide range of readjustments, as well as additional measures.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

Etat fédéral

Au niveau fédéral, la consultation des organisations représentatives des personnes handicapées est réglée par l'[arrêté royal du 9 juillet 1981](#), modifié le 14 décembre 2006, qui précise entre autres que le Conseil supérieur national des personnes handicapées (CSNPH) est chargé de l'examen de tous les problèmes relatifs aux personnes handicapées, qui relèvent de la compétence fédérale. Le Conseil est habilité, de sa propre initiative ou à la demande des ministres compétents, à donner des avis ou à faire des propositions⁶⁹, entre autres en vue de la rationalisation et de la coordination des dispositions légales et réglementaires. Conformément à l'article 20 de la loi du 27 février 1987 relative aux allocations aux personnes handicapées, la consultation du Conseil est obligatoire pour tout projet d'arrêté royal exécutant cette loi⁷⁰. Afin de conférer à cette consultation un caractère plus structuré, il a été décidé lors du Conseil des ministres du 20 juillet 2011 de faire en sorte que, pour les réglementations ayant spécifiquement trait aux personnes handicapées et, dans la logique de *handistreaming* de l'UNCRPD, pour les réglementations ayant une implication générale pour la société mais dont

⁶⁸ Plus de détails sur : <http://www.observatbru.be/documents/pauvrete/suivi-de-etat-de-la-pauvrete.xml?lang=fr>

⁶⁹ Voir le site du CSNPH : <http://ph.belgium.be/fr/csnph.html>

⁷⁰ Belgium, Law concerning social benefits for people with disabilities (*Wet betreffende de tegemoetkomingen aan personen met een handicap*), 27 February 1987, available at http://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=1987022731&table_name=loi

certain aspects pourraient avoir un impact spécifique pour les personnes handicapées, le CSNPH soit consulté dès le début de l'initiative.

Par ailleurs, les associations de personnes handicapées et de défense des personnes handicapées, de même que la société civile au sens large, ont été associées à la rédaction du premier rapport périodique UNCRPD ⁷¹, par le biais des réunions « COORMULTI ». Il s'agit de réunions de coordination organisées par le SPF Affaires étrangères. Les remarques émanant de la société civile ont été intégrées autant que possible dans ce rapport.

Enfin, au sein du *Centre interfédéral pour l'égalité des chances*, qui est le mécanisme indépendant belge (en conformité avec l'art.33.2 UNCRPD), il existe un [service spécifique de promotion, protection et suivi de la Convention UNCRPD](#). Pour l'exercice de ce mandat, le Centre collabore avec une Commission d'accompagnement, qui assure la représentation et la participation de la société civile. Les membres de la commission sont issus d'associations de personnes handicapées, du monde académique et des partenaires sociaux. Ladite commission approuve le plan stratégique à trois ans et les plans d'action annuels et avalise le travail du service, notamment pour la formulation des avis et recommandations.

Flemish Region

In the Flemish Region, civil society is being represented in the steering committee itself of the Flemish Agency for people with disabilities (VAPH). For instance, in 2012, a civil public debate has been organised to give reflection to the policy plan by hearing the different stakeholders. In addition, a task force to give implementation to the decree on a person following budget has been set up in which their voice is being heard.

As another example, and starting from the principle “*Nothing about us, without us*”, stakeholder organisations of people with disabilities were informally involved in the decision-making process of the *M-Decree* (cf. point 2.b.). The reports of the consultation were made available to the Government of Flanders and the members of the Committee for Education and Equal Opportunities of the Flemish Parliament.

Finally, disabled people organisations are part of the forum of stakeholders that have regular meetings with ‘VDAB’ and ‘SYNTRA Vlaanderen’, our public employment agency and public provider of training and support for self-employed, respectively. They discuss the services provided by these organisations and how they could better meet the needs of people with disabilities and chronic illnesses. Within VDAB, there is a special *Platform for discussion on Work for people with a disability or chronic illness*, where disabled people organisations are part of. The Open Network for Work for vulnerable people work in two year cycles around a specific theme. Participants are stakeholders and service providers, including the public ones. Different groups work towards a product or the exchange of good practices. One of the work groups is meeting on the subject of recovery and how work can find a place in recovery. In other groups they talk about the transition from unpaid work to paid work or reaching out to employers. Within the structure for social dialogue between social partners, there is a commission on diversity where stakeholders, including disabled people organisations, meet with the representatives of unions and employers organisations. They give advice on topics relating to employment and education.

Région wallonne

⁷¹ http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=935&Lang=en

La société civile, en particulier les personnes handicapées et les organisations qui les représentent, est associée de manière permanente aux différents lieux où se prennent les décisions politiques (comités de gestion) et là où, également, elle peut officiellement émettre des avis et des recommandations au pouvoir politique, au niveau régional et local. Le principal instrument mis juridiquement sur pied est la [Commission wallonne des personnes handicapées](#). Celle-ci collabore étroitement avec les 5 autres Commissions existantes : famille, personnes étrangères ou d'origine étrangère, aînés, santé et action sociale.

Région de Bruxelles-Capitale

Au sein de la Commission communautaire française (CoCoF), la société civile est représentée via la section « *Personnes handicapées* » du *Conseil consultatif bruxellois francophone de l'Aide aux Personnes et de la Santé*, constituée de représentants des pouvoirs organisateurs, des travailleurs des secteurs, des utilisateurs ou des publics cibles et enfin d'experts. Ses membres ont pour mission de donner des avis sur toutes les questions concernant les personnes handicapées, sur des projets de décrets et leurs arrêtés d'exécution ainsi que sur des demandes d'agrément de services et de centres pour personnes handicapées. Ces demandes d'avis proviennent la plupart du temps de l'extérieur (Collège, Cabinet ministériel, Administration ou centres agréés) mais peuvent également arriver en interne (Membre de la Section), de sa propre initiative.

German-speaking Community

People with disabilities and the organizations/associations representing them are members of the management Board of the Office of the German-speaking Community for People with Disabilities. They are therefore directly involved in important decision-making processes during the formation of the policymaking for the disabled in the German-speaking Community.

Many people with disabilities are actively involved in DPO's and through this channel in the Forum of DPO's (*Forum der Vereinigungen und Verbände von und für Menschen mit Behinderung*). The latter is involved in the implementation of the UNCRPD Convention. The Forum has been involved when drafting the first report on the implementation of the UNCRPD and in the drafting of the action plan. In the framework of the preparation of the action plan, the DPO's worked together with the *Dienststelle für Personen mit Behinderung* (DPB) in the training measure '[DG Inklusiv 2025](#)', raising awareness among decision makers and citizens on people with disabilities and reasonable accommodation.

There is also an annual plenary meeting between the management Board of the DPB and the Forum of DPO's. The aim is to discuss common concerns and questions and work out joint responses to outstanding issues.

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

Flemish Region

Using a method of open co-ordination for the equal opportunities policy in Flanders, government-wide adoption of the policy theme's accessibility and handicap have resulted in a strategic action-planning for the period 2009-2014 in all policy-fields (see action-plans on: www.gelijkekansen.be). Besides the reported fields like social inclusion, education and

employment also specific action-plans on accessibility and handicap were developed in fields like media, economic affairs, culture, sports, housing, mobility etc. Currently a new Flemish action-plan on equal opportunities for the period 2015 -2019 is being prepared, that again will cover all relevant domains.

Région wallonne

L'accès aux droits économiques et sociaux des personnes handicapées implique un standard de vie adéquat (y compris une alimentation, un logement, des services sociaux et médicaux adéquats), le droit à l'éducation et à une vie familiale.

Proposition : Recenser les obstacles que rencontrent les personnes handicapées relativement à cet accès.

En ce qui concerne la protection sociale, les règles nationales de diminution progressive et de suppression des allocations, en cas de chômage de longue durée, présentent des risques pour les personnes handicapées.

Proposition : Réaliser une étude européenne afin de savoir si les personnes handicapées sont soumises à cette règle de diminution et de suppression des allocations de chômage et, dans l'affirmative, selon quels critères.

German-speaking Community

The field of Research and Development should include a disability dimension.

Proposal : The development of universal designed products as well as accessible formats for certain disabilities should be promoted. Related to this dimension of R&D, intellectual property legislation should be subject to revision.

5. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

Flemish Region

In the field of employment, within the Operational Programme for ESF in Flanders for the period 2014-2020, disadvantaged individuals in the labour market are one of the vulnerable groups that are included in *Priority 2 - Social Inclusion & Poverty* which focuses on active integration, enhanced employability and equal opportunities promotion, within the specific investment priority.

As regards education, [EPOS](#), the Flemish Agency for the implementation of the EU education program *Erasmus+*, among other things, informs schools and other education and training institutions about the opportunities for funding of projects related to learners with special needs.

Finally, in order to involve social service providers in the Flemish region and allow them to contribute to the implementation of the policy action plan '*Perspective 2020*', a huge amount of subsidies was being awarded to the two representative umbrella organisations of these service providers. A process was being started to help the management of these service providers to make the switch from a supply-driven care towards a demand-driven assistance and support system in the near future.

Région wallonne

Dans le cadre de la programmation FSE 2014-2020, l'Agence wallonne pour l'intégration des personnes handicapées (AWIPH) a coordonné le dépôt d'une dizaine de projets intégrés en faveur de l'emploi des personnes handicapées, en prêtant une attention particulière aux jeunes handicapés, en vue d'assurer une transition entre leur scolarité et l'emploi. La société civile a été associée à la démarche. L'AWIPH veut également, dans le cadre de cette programmation, démontrer qu'il existe de nombreuses solutions permettant aux employeurs, privés et publics, de respecter les réglementations en vigueur relatives à la non-discrimination basée sur le handicap, les aménagements raisonnables, les quotas, la rémunération et le bien-être au travail, ainsi que les possibilités de reclassement au sein de l'entreprise avant de décider d'un éventuel licenciement.

Région de Bruxelles-Capitale

Au sein de la Commission communautaire française (CoCoF), dans le cadre de la programmation du FSE 2014-2020, le Service Phare est le gestionnaire du portefeuille du projet insertion socio-professionnelle des personnes handicapées qui comprend 10 projets dont 3 portés par Phare lui-même : « *Inclusion et maintien dans l'emploi ordinaire* », « *Cellules d'accueil en ETA* », « *Appuis à la formation* ».

Le présent portefeuille de projets s'inscrit dans l'axe société inclusive et emploi. Il vise une approche intégrée de l'insertion socioprofessionnelle des personnes handicapées, par un large éventail de projets complémentaires entre eux. Il vise à prendre en compte l'accès à la formation et à l'emploi dès le courant de la scolarité en enseignement spécialisé, à proposer un accompagnement soutenu tout au long du processus, à renforcer la formation des personnes handicapées par des formations spécialisées et par un soutien soutenu aux actions des services généralistes qui vise à renforcer leurs compétences à prendre en charge des stagiaires porteurs de handicap. Le public cible est constitué de personnes handicapées reconnues par le Service Phare y compris des personnes particulièrement éloignées du seuil d'employabilité. Par une étroite collaboration entre les divers projets, le partage d'expériences et d'outils, ce portefeuille vise à augmenter significativement l'accès à la formation et à l'emploi des personnes handicapées notamment des jeunes.

Le portefeuille se compose de différents opérateurs publics et privés impliqués à différents niveaux dans l'insertion socioprofessionnelle des personnes handicapées : « *Transition insertion 2020 BXL* », « *Deaf gain* » vers l'emploi, , « *CAP Inclusion* », « *Formation adaptée aux personnes avec handicap reconnu JST* », « *Alphabétisation adultes sourds* », « *Insertion socio-professionnelle de personnes handicapées visuelles* », « *Formations en informatique adaptée pour les personnes handicapées* ».

German-speaking Community

We use ESF means to ensure occupational guidance and jobcoaching in order to enhance the employment situation of persons with disabilities. Furthermore, the use of other EU fundings will be taken into consideration for specific initiatives in all fields.

Bulgaria

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Current situation:

According to data of the **Employment Agency** since the beginning of 2014 until 30.09.2014 17 508 persons with permanent disabilities as a monthly average have used the services provided by the territorial divisions of the Agency - the Employment Office Directorates (EODs) after having registered themselves with the agency as job seekers. During that period 4 183 unemployed persons with permanent disabilities have started work, 3 407 of them with the intermediation of the EODs.

In the employment field the **Agency for People with Disabilities** finances project proposals, as follows:

1. Projects encouraging the employment and setting up of own business for people with disabilities,
2. Projects of employers of normal work environment,
3. Targeted projects with business and social orientation of specialized enterprises and cooperatives of people with disabilities.

The interest towards the programme of the Agency for People with Disabilities (APD) encouraging the setting up of own business is great and the number of received projects is increasing every year. The unit value of project financing for encouraging employment and setting up of own business by people with disabilities has been increased from BGN 15 000 to BGN 20 000 in 2013; however the total amount for project financing has not considerably changed after 2009.

The requirements for provision of adapted workplaces for people with disabilities have been increased and due to the higher value thereof the number of workplaces has remained almost unchanged.

The total amount of targeted projects of the specialized enterprises and cooperatives of people with disabilities financed by the Agency for People with Disabilities has remained unchanged since 2009; however the values of the different component have increased. The number of applicants- specialized enterprises and cooperatives of people with disabilities has increased.

Trends since 2009:

According to data of **the Employment Agency** during the period 2009– September 2014 a trend is observed for a lasting increase of the average monthly number of unemployed with permanent disabilities registered at Employment Office Directorates (EODs), namely– from 12 774 persons in 2009 to 17 508 persons during the nine-month period of 2014.

The Employment Agency is implementing incentive measures for employers when hiring people with permanent disabilities. The employer is granted funds for remuneration and all social and health security contributions thereon (for not more than 6 months), when hiring:

- unemployed persons with permanent disabilities, including war invalids (Article 52(1) of the Employment Promotion Act). As a total for the period 2009 – 2013 2314 persons have been included in employment under that measure. During the period January-September 2014 new employment has been provided to 97 persons, BGN 466 563 has been spent.

- unemployed persons with permanent disabilities at a temporary, seasonal or part-time job (Article 52(2) of the Employment Promotion Act). As a total over the period 2009 – 2013 2583 persons have been included in employment under the measure. During the period January-September 2014 new employment has been provided to 103 persons, BGN 731 484 has been spent;

- unemployed young persons up to 29 years of age with permanent disabilities, including war invalids, as well as young people from social institutions who have completed their education (Article 36(2) of the Employment Promotion Act). As a total over the period 2009 – 2013 424 persons have been included in employment under the measure. During the period January-September 2014 new employment has been provided to 32 persons, BGN 100 564 has been spent.

According to data of the Employment Agency the total share of registered unemployed varies within the period: from 4.5% in 2009 it decreases to 3.9% in 2010, gradually increasing afterwards to 4.7% in the 9 months of 2014. At the end of the period the share of people with permanent disabilities has increased with 0.2 per cent compared to 2009.

During the period 2009 – 2013 a different dynamics has been observed in the number of the unemployed people with disabilities registered at the Employment Offices who have started work on the primary market, under employment programmes and measures and under schemes of the Operational Programme "Human Resources Development". In 2009 they were 4 886 persons, in 2010 they decreased to 4 432 persons, in 2011 their number increased to 6 255, in 2012 a decrease was reported to 5 502 persons, while in 2013 they increased considerably - to 7 515 persons, their number being with 2 629 persons higher as compared with the beginning of the period under review. As a total for the period 2009 – September 2014 32 773 unemployed people with disabilities registered at the Employment Offices have realized themselves on the labour market.

The trend for funded employment projects since 2009 has been, as follows:

	2009	2010	2011	2012	2013
Funded projects, encouraging the setting of their own business by people with disabilities, Article 31 of the Law on Integration of People with Disabilities	37 projects for BGN 507 065	35 projects for BGN 400 293	27 projects for BGN 350 778	28 projects for BGN 327 000	32 projects for BGN 541 222
Funded projects of employers of normal working environment, Article 25 of the Law on Integration of	20 projects for 23 jobs for BGN 140 000	12 projects for 18 jobs for BGN 103 411	18 projects for 27 jobs for BGN 142 448.	15 projects for 23 jobs for BGN 120000	12 projects for 25 jobs for BGN 142 000

People with Disabilities					
Funded targeted projects of specialized enterprises and cooperatives of people with disabilities, Article 28(2) of the Law on Integration of People with Disabilities.	123 enterprises with 2343 persons with disabilities; 31 projects for BGN 1 440 000	117 enterprises with 1520 persons with disabilities 33 projects for BGN 1 653 586	133 enterprises with 1913 persons with disabilities 33 projects for BGN1 503 644	131 enterprises with 1528 persons with disabilities; 31 projects for BGN1 666 000	131 enterprises with 1540 persons with disabilities ; 33 projects for BGN 1 469 000

Education

Current situation:

According to data of the Ministry of Education and Culture, over the last few years an intensive process of integrated education has been accomplished which led to an increase in the total number of schools and kindergartens where children and students with special educational needs are studying in an integrated manner. In 2014 a total 13 317 children and students are educated in an integrated manner in 2117 schools and kindergartens, supported by 1 660 resource teachers and other pedagogical specialists.

According to the Law on Integration of People with Disabilities, persons with permanently reduced ability to work or with a certain type and degree of disability who need to acquire additional knowledge and skills through different forms of education beyond those established in the general education system are entitled to a monthly educational allowance. According to data of the Agency for Social Assistance the monthly average number of people with disabilities receiving that allowance is 386, including 301 children.

Trends since 2009:

According to data of the Ministry of Education and Science in 2009 integrated education of children with disabilities is provided at 820 kindergartens and schools. In 2009 a total of 7 957 children and pupils were provided integrated education with the support of 933 resource teachers and other pedagogical specialists.

According to data of the Social Assistance Agency the average monthly number of persons with disabilities receiving educational allowance under the Law on Integration of People with Disabilities for 2009 is 428 persons, including 290 children, and during 2013 their number is 421, incl. 316 children.

Average monthly number of persons receiving monthly educational allowance according to the Law on People with Disabilities and the Rules on its Implementation

Monthly educational allowance	2009	2010	2011	2012	2013	For the 9-month period of 2014
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	Total average monthly number	Incl. children										
	428	290	418	286	471	286	471	335	421	316	386	301

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Current situation:

For people with disabilities as a specific vulnerable group the risk of poverty and social exclusion is higher. Discrimination and the various barriers against their participation in all spheres of public life are among the main reasons for the high level of poverty within that vulnerable group. According to data of the monitoring „Statistics of Income and Living Conditions” (EU-SILC), in 2011 the share of people at risk of poverty who have limited or highly limited capabilities for performance of their usual domestic activities due to a health problem is 28.0%. For comparison that share before receipt of the social transfers (pensions included) reaches up to 65.3%. According to data of the survey in 2011 the share of persons living in households with low intensity of economic activity that have limited or highly limited capabilities for performance of their usual domestic activities due to a health problem is 25.0%.

The Agency for People with Disabilities finances projects in the field of social inclusion, as follows:

Projects for rehabilitation and social integration of NGOs of and for people with disabilities, and since 2009 the number of projects, their total value and the number of people included in the measures has been continuously increasing (in 2009– 4000 persons, and in 2013– 5 000 persons).

Projects for access and adaptation of people with disabilities at sites of international, national and regional importance - the number of sites, as well as their total value varies during the years and depends on the initiative of the applicant organizations.

The Agency for People with Disabilities pays targeted benefits for use of sign languages, for accompanying persons of visually impaired people and persons with reduced mobility and since 2010 also for people with intellectual difficulties when using services of state and municipal administrations, health, educational and cultural institutions. The provided funds for 2009 were BGN 1 333 454, and after 2010 about BGN 1 630 000 annually.

The trend of the projects in the field of social inclusion since 2009 has been the following:

Trends since 2009:

During the period from 2009 until 30.09.2014 a lasting trend has been observed for priority development of social services within the community, as well as of decreasing the capacity and in isolated cases - of closing ineffective social services. The released financial resource is

used for increasing the capacities or opening of new social services according to the identified needs for such, as established in the annual municipal plans for development of social services. During the specified period within the territory of the country 7 specialized institutions for people of disabilities with a total capacity of 669 places have been closed. Within the same period 50 social services in the community were opened (Centers for social rehabilitation and integration, daily centers for elderly people with disabilities and daily centers for elderly people), with a total capacity of 1113 places, as well as 94 services of residential type with total capacity of 1013 places.

The existing trend regarding the projects in the field of social inclusion funded by the Agency for People with Disabilities since 2009:

	2009	2010	2011	2012	2013
Funding of projects of NGOs of and for people with disabilities	18 projects for BGN 260 000 for 4103 persons with disabilities	18 projects for BGN 267 441 for 3600 persons	20 projects for BGN 299 997 for 4365 persons with disabilities	19 projects for BGN 300000 for 4500 persons with disabilities	21 projects for BGN 317000 for 5000 persons with disabilities
Funding of projects for access and adaptation for people with disabilities of sites of international, national and regional importance	12 projects for BGN 338 000	11 projects for BGN 266 174	17 projects for BGN 405 911	10 projects for BGN 400000	9 projects for BGN 254000

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

The national policy for people with disabilities is implemented in compliance with the set objectives in the long-term strategy– Strategy for Equalization of Opportunities for People with Disabilities 2008 – 2015 of the Republic of Bulgaria (referred to in the entire documents as “national long-term strategy”), which was adopted by the Council of Ministers in 2007. The national long-term strategy was adopted prior to the signing and ratification of the UN Convention on the Rights of Persons with Disabilities (the Convention) and is in compliance with the recommendations of the Council of Europe and the good practices of the EU Member States. Immediately after the ratification of the Convention in 2012 the strategy was updated to comply with the Convention and the new European strategy for the persons with disabilities. The purpose of the strategy is the effective implementation of the policy of the Bulgarian government for improvement of the quality of life of the people with disabilities. It sets strategic objectives and outlines the measures that are necessary to implement for elimination of the existing barriers (psychological, educational, social, cultural, professional,

financial and architectural) against the social inclusion and the equal integration of the people with disabilities, as well as the development of guarantees and incentives for equal treatment of the people of disabilities and their full participation in public life.

Employment

The Ministry of Labour and Social Policy through the Employment Agency annually implements programmes and incentive measures for training and employment of people with disabilities. These are aimed at subsequent realization on the primary labour market, including through self-employment. The employment of people with disabilities takes place through an integrated work environment and in a specialized work environment.

The Employment Agency (EA) as the main public labour market broker in Bulgaria fulfills the key priorities of the national employment policy. The actions, programmes and measures in the National Employment Action Plans (NEAP) are complied with the long-term priorities of the “Europe 2020” Strategy supporting the job placement of unemployed persons, primarily directed to the disadvantaged groups on the labour market, one of the them being the people with disabilities.

The actions implemented by the Employment Agency directed to the people with disabilities are in compliance with the requirements of the Long-Term Employment Strategy for People with Disabilities 2011– 2020 (adopted by the Council of Ministers on 29 June 2011) which is intended to ensure conditions for effective exercise of the right of free choice of employability of the people with disabilities and improvement of their quality of life, as well as a condition for free and full inclusion into the public life of the country.

In the developed action plan for provision of equal opportunities for people with disabilities 2014 – 2015, one of the objectives is to expand their employment opportunities through their inclusion into different programmes to provide proper jobs. Measures are also provided for provision of employment and creating conditions for development of own business for the people with disabilities on the labour market.

The activities of the Employment Agency directed to that disadvantaged group on the labour market are in compliance with the Convention on the Rights of People with Disabilities ratified on 26 January 2012 by the Republic of Bulgaria. Thus, the right of work for the people with disabilities is recognized through freely chosen or accepted job on the labour market and in work environment which is open, non-discriminating and accessible for them.

In Bulgaria the people with disabilities are equally treated in terms of the use of services provided at the Employment Office Directorate with regards to:

- information about announced job vacancies;
- information about programmes and measures for keeping and promotion of employment;
- intermediation for provision of information and recruitment;
- psychological support;
- professional orientation;
- inclusion in adult training;
- inclusion in employment and training programmes and measures;
- education grant, means for transport and accommodation for the period of training.

The complex problems related to the employability of people with various disabilities predetermine the application of a differentiated approach in their servicing by labour brokers complied with their specific needs, health condition and acquired educational degree. (Upon registration at the employment office people with disabilities are supposed to submit a decision by the Territorial Expert Medical Commission/National Expert Medical Commission (Article 14(1)(6) of the Rules on the Implementation of the Employment Promotion Act).

With respect to the need for creation of environment adapted to the needs of people with disabilities, the “one stop shop” principle has been introduced at employment offices. In addition to providing unrestricted access, its introduction improves the quality of service for citizens and the provision of an accessible environment for the people with disabilities.

According to the requirements of the Labour Code, employers with over 50 factory and office workers are obliged to determine annually job positions appropriate for placement of persons with reduced ability to work from 4 to 10 per cent of the total number of factory and office workers, depending on the sector of national economy. Of those jobs the employer has to set out not less than one half for people with permanent disabilities. Employers are obliged to notify the territorial directorates of the Agency for the job positions set out for people with permanent disabilities and to announce the vacant ones not later than 14 days of setting them out. The labour brokers direct the people with disabilities registered at the employment offices to those vacancies.

Unemployed people with disabilities may also perform work from home, as regulated in the Labour Code in 2011, in compliance with the requirements of the International Labour Organization.

A good employment opportunity for the people with disabilities is provided by the so-called "specialized enterprises and cooperatives of people with disabilities" that manufacture goods or deliver services according to a list approved by the Council of Ministers. The specialized enterprises and cooperatives of people with disabilities may be financed by the state budget under targeted projects and programmes. The relative share of the persons with permanent disabilities employed at such enterprises and cooperatives is regulated, as follows:

- a) for specialized enterprises and cooperatives for blind and partially sighted persons – not less than 20 per cent of the personnel headcount list;
- b) for specialized enterprises and cooperatives for persons with impaired hearing – not less than 30 per cent of the personnel headcount list;
- c) for specialized enterprises and cooperatives of persons with other disabilities – not less than 30 per cent of the personnel headcount list.

The Ministry of Labour and Social Policy and the Employment Agency develop and implement national programmes and measures for promotion of employment ensuring equal opportunities for the people with disabilities for participation in the labour market. The programmes and measures envisage funds for encouraging the employers that provide employment to people with disabilities.

People with disabilities may participate without limitations in all training and employment programmes and measures implemented by the Employment Agency on the grounds of the Employment Promotion Act (EPA) and the National Employment Action Plan, as well as in the schemes under the Operational Programme "Human Resources Development: financed by the European Social Fund, provided that they meet the requirements for inclusion in the

respective programme, incentive measure or scheme. In support of the people with disabilities, for the purpose of improvement of their professional qualification and provision of employment, during the period 2009 - 2014 the Employment Agency has implemented training and employment measures, as follows:

National employment and training programme for people with permanent disabilities

The programme was launched in 2003 which was announced for European year of the people with disabilities and continues to be successfully implemented in all municipalities of the country. Financing under the programme is received by employers from the real and public sector (prioritizing employers that have concluded a financing contract under Article 25 of the Law on Integration of People with Disabilities for provision of access to the workplaces, as well as adapting and/or equipment of workplaces for people with disabilities).

Target group – unemployed persons registered at the Employment Office Directorates, with permanent disabilities or working age persons successfully passed a course of treatment for addiction to narcotic substances.

Provision for a period of 24 months of funds for salaries at an amount fixed in the National Employment Action Plan for the respective year and all due additional payments at the expense of the employer. The persons may be hired at full- and part-time.

As a total during the period 2009 – 2013 4057 persons were included in employment under the programme. For the period January-September 2014 a total of 131 persons were included in employment under the programme.

In view of the development of conditions for employment of the unemployed with permanent disabilities on the labour market, the Employment Promotion Act has provided for incentive measures to encourage the employers to create jobs and hire unemployed persons with permanent disabilities, and these have a markedly good effect. The measures are better directed and provide employment in the private sector with a condition for continuation of employment after the subsidized period.

Encouraging employers to hire unemployed persons with permanent disabilities under 29 years of age – Article 36(2) of the Employment Promotion Act – employers who hire at a full or part-time job unemployed persons with permanent disabilities under 29 years of age registered at Employment Office Directorates, including a war-disabled person, as well as young persons from social institutions who have completed their education, shall be provided with funds from the State Budget for salaries and any social and health insurance contributions, but for not more than 6 months.

Encouraging employers to hire unemployed persons with permanent disabilities – Article 52(1) and (2) of the Employment Promotion Act. In accordance with Article 52(1) of the Employment Promotion Act, employers who have hired persons with permanent disabilities, including war-disabled persons shall be provided with funds from the State Budget for salaries and any social and health insurance contributions, but for not more than 6 months. In accordance with Article 52(2) of the Employment Promotion Act, employers who have provided a temporary, seasonal or part-time job to persons with permanent disabilities shall be granted a subsidy for salaries and all social and health insurance contributions from the State Budget for the period of employment of the persons hired; however not exceeding 6 months.

Creation of conditions for development of own business for persons with disabilities

The state created conditions to ensure equal treatment and developing conditions for living a fulfilling life by persons with disabilities through achievement of sustainable self-employment and formation of entrepreneurship attitude and developing their own business. Under the Programme „*Interest-free credit for persons with disabilities*” persons with disabilities, including sole proprietors, as well as borrowers – legal entities where a shareholder is a disabled person are reimbursed the interests in amount of up to 10 %) on credits granted before 15.10.2008 under the project “Microcredit Guarantee Fund” of the Ministry of Labour and Social Policy.

During the period 2009 – 2013 the interests on the credits of 625 persons with disabilities were reimbursed under the programme. In the nine month period of 2014 the interests on the credits of 17 persons with disabilities were reimbursed and BGN 10 157 was spent.

Having regard to the promotion of entrepreneurship among unemployed persons for setting up an own business as a microenterprise under the Law for Small and Medium-sized Enterprises the following measures have been implemented: promotion of entrepreneurship for persons who have registered a microenterprise and encouragement of unemployed persons to set up their own business by establishing a microenterprise. This concerns unemployed persons with an approved business project.

In order to be included in the training and education programmes and measures, the persons with disabilities must be registered at the Employment Office Directorates as unemployed job seeking persons.

Detailed information on the measures, training and education programmes, as well as the services provided by the Employment Agency as an intermediary on the labour market, is available on our official webpage: www.az.government.bg, in sections „Looking for job”/”Job offers”.

Ensuring conditions for effective exercise of the right for a free choice of employment of persons in disabilities in working age and improvement of their quality of life is a primary objective of the *Long-term employment strategy for persons with disabilities 2011 – 2020*. The main directions of work include:

- Provision of employment to unemployed persons with permanent disabilities in working age, including through flexible forms of employment, on the primary labour market and under employment programmes in order to overcome their social exclusion and for their full integration in society; diversification of the incentives for employers to hire people with disabilities and adapting the work environment according to their needs; influencing the attitudes and stereotypes of employers with respect to hiring people with disabilities;
- Provisions of access to financial resources and opportunities for starting own business;
- Development of preconditions for living an autonomous and independent life for the persons with disabilities through provisions of an accessible architectural environment, accessible transportation, information and communication, as well as adaptation of the workplace, specialized labour intermediation, provision of aids, accessories, equipment and medical devices.

Experts from the Employment Agency are actively participating in the implementation of a project “Team for Inclusive Employment” of the Foundation “Institute for Social Services in the Community”, city of Sofia. The project is implemented by the Foundation “Institute for

Social Services in the Community” in partnership with Innovia (Austria) and is performed with the financial support of the Operational Programme “Human Resources Development”. The project is aimed at development, testing and promotion of an innovative model of inclusive employment for persons with disabilities. Trainings have been provided to experts from the Employment Agency for the formation of teams for development of models for inclusive employment of the persons with disabilities.

In 2014 20 employees of the Employment Agency participated in the distance training organized by the Dia-Sport Association, Sofia, for preparation of specialists on an European level for **supported employment** of people with disabilities under the European Union Supported Employment Programme (EUSE) and the European Credit System for Vocational Education and Training (ECVET). Those who have completed the training are invited to participate in a European forum to share their experience, opinions and comments on the issues regarding the employment services for people with disabilities.

The Agency for People with Disabilities is implementing a project „**Protected employment – experience, innovations and opportunities** “under the Operational Programme “Human Resources Development” co-financed by the European Social Fund and the state budget which is focused on the practical solution of series of issues related to the employment of persons with disabilities. The primary objective of the project is the Agency for People with Disabilities and the General Directorate “Labour and Social Economy”, Galicia Region in Spain to exchange experience in the field of protected employment, as a result of which possibilities to be created in Bulgaria for development of innovative policies and instruments in this direction.

Education

The action plan (2012 – 2014), containing measures for rendering the legislative framework and policies in the field of the persons with disabilities in compliance with the provisions of the UN Convention on the Rights of Persons with Disabilities outlined the particular steps for the implementation of the Convention. One of those steps was the preparation and approval of a concept related to the application of Article 24 “Education” of the Convention. A leading institution for that activity was the Ministry of Education and Science. An inter-institutional workgroup prepared a design concept for changes in the legislative framework related to the application of Article 24 “Education” of the UN Convention on the Rights of Persons with Disabilities. Representatives of the national representative organizations of and for persons with disabilities participated in the group. At its session in February 2014 the National Council for the Integration of Persons with Disabilities approved the design of the concept under Article 24 "Education" of the UN Convention on the Rights of Persons with Disabilities. By Order No. RD 09-731/15.05.2014 of the Minister of Education and Science the Concept for changes in the legislative framework for application of Article 24 “Education” of the UN Convention on the Rights of Persons with Disabilities was approved.

With regards to the new form of education- combined- introduced in 2013 in the Public Education Act, as a part of the measures for provision of supporting environment for students with special educational needs a change was introduced in Rules for Implementation of the Public Education Act. The project was coordinated with the National Council for Integration of People with Disabilities in compliance with Article 6(3) of the Law on Integration of People with Disabilities and was approved at a meeting of the Council.

In the meantime at the Ministry of Education and Science an interinstitutional workgroup commenced its work which is supposed to prepare drafts of 2 concepts for changes in the legislative framework related to the implementation of Article 21 "Freedom of expression and opinion, freedom of access to information" of the UN Convention on the Rights of Persons with Disabilities:

1. A Concept for changes in the legislative framework related to the implementation of Article 21 for development of conditions for informational accessibility complied with the type of disabilities, with a deadline 15.08.2014.

2. A Concept for changes in the legislative framework related to the implementation of Article 21 for introduction of sign language with deadline 15.12.2014.

The draft of the first concept was prepared timely and sent to the Ministry of Labour and Social Policy for presentation of the interinstitutional workgroup for coordination of the implementation of the Action Plan and of the National Council for Integration of People with Disabilities. Representatives of the national representative organizations of and for the people with disabilities participate in the development of both concepts.

The implementation of the integrated education policy in the educational system is governed by basic regulations and documents as the Public Education Act, the Rules on Implementation of the Public Education Act, the Law on Integration of People with Disabilities, Ordinance No 1 of 23 January 2009 on the Education of Children and Students with Special Educational Needs and/or Chronic Diseases. The Ordinance quoted above has developed regulation representing on one side the modern European trends in education and, on the other side the practical experience in this field gained in our country. The focus is set upon integrated education and the inclusion of children and students with special educational needs in a common educational environment according to the policy of the Ministry of Education and Science. The main principles and objectives of the complex pedagogical assessment, the additional functions of the expert teams established by practice, the coordination of the activities for resource support in the process of learning and education have been defined. Special attention is paid to the participation of the parents of children with disabilities in the holistic learning and education process.

Each child and student with special educational needs and/or chronic diseases is provided with access to education under the educational programmes of the respective kindergarten and school and depending on their educational needs training is provided under individual educational programme and support by a team of specialists. The work continues on the new curriculums approved in 2012 for children and students with multiple disabilities based on which the specialists at general education schools and specialized schools may develop individual educational programmes for every child depending on the assessment of his/her educational needs.

Since April 2012 the Ministry of Education and Science has been a specific beneficiary under the project BG051PO001-4.1.07 „**Inclusive Education**” under Operational Programme “Human Resources Development” co-financed by the European Social Fund. The project is implemented in partnership with the national representative organizations of the people with disabilities. It is comprised of six components, one of which for the first time emphasizes the early recognition and early influence upon the children in kindergartens in view of the prevention of learning difficulties. A model is built of improvement of the capacity of general education schools for carrying out of inclusive education of children with special educational needs, the approval of a model for reformation of the specialized schools for children with sensory disabilities with the purpose of turning them into institutions supporting the process

of inclusion in general education environment. A new model of organization and functioning is established for the referral schools- boarding facilities through which the boarding facility is closed and modern education and complex support is provided to children with multiple disabilities. In the process of building a supporting educational environment at pilot schools and kindergartens under the project the necessary conditions have been created through recruitment of additional pedagogical specialists, training for improvement of the professional skills of teachers, preparation of instruction manuals, guidelines, handbooks, etc. As a result of the implementation of the project the purpose is to develop a model of inclusive education with the active participation of all stakeholders. Until present under the conditions of inclusive education over 1600 students are educated at 84 pilot schools and are supported by 343 specialists employed at those schools. The implementation of the project is intended at the development of a model of inclusive education which is to be gradually multiplied. In relation to the process of *deinstitutionalization* through one of the activities of the project "Provision of supporting environment of psychologists, resource teachers and other specialists for children and students deprived of parental care and using services of residential type included in the process of deinstitutionalization" pilot kindergartens and schools are selected and approved in proximity to the new residential type services – family-type accommodation centers and sheltered accommodation. At this stage a total of 15 pilot general education schools and 1 pilot combined childcare facility have been approved; 89 children have been covered with severe and multiple disabilities included in the process of deinstitutionalization' 52 specialists have been hired, and moreover the school directors have been involved in the activity. Offices have been built under the same projects at the approved pilot kindergartens and schools equipped with the necessary equipment and materials for work and support of the children for their inclusion in the educational process. 6 national representative organizations of and for persons with disabilities also participate in the project.

Social inclusion

The main challenges facing the policy for social inclusion of the people with disabilities are related to the need for a change in the social attitudes thereto, guaranteeing their access to quality education, broadening their employment opportunities, provision of quality and accessible social services in the community and family environment. One of the most current issues related to the social inclusion, especially of the people with disabilities and those with difficulties in mobility, is the provision of accessible physical environment. The provision of accessible physical environment is an issue that demands the undertaking and application of special measures directed to securing the physical access to public buildings (schools, kindergartens, hospitals, buildings of state institutions, etc.), residential facilities, open-air spaces, etc. An integral part of the process of creation of accessible physical environment is the provision of accessible transport.

In order to address these challenges, the policy implemented in the field of social inclusion is directed to the provision of complex support and improvement of the quality of life of the most vulnerable groups of the society, among which are the people with disabilities. The support to the people with disabilities occupies an important place in different programming and strategic documents, such as the National Development Programme: Bulgaria 2020, Priority 2 „Reduction of poverty and promotion of social inclusion”, the National Strategy for Reducing Poverty and Promoting Social Inclusion 2020, the National Strategy for Long-Term Care and the National Health Strategy.

One of the key priorities in the National Strategy for Reducing Poverty and Promoting Social Inclusion 2020 is the provision of accessible environment - physical, institutional and

informational. In the implementation of that priority measures have been laid down which are directed to provision of physical access to public buildings, residential facilities, open-air spaces, etc.; access to information and communication, access to public services, access to culture and sports.

In compliance with the Specific Recommendations of the Council of the European Union to Bulgaria for 2013 and 2014 concerning the improvement of the access to quality social services, the National Strategy for Long-Term Care has focused on namely the development of conditions for independent and dignified life for the elderly people and the people with disabilities through improvement of the access to social services and their quality, expansion of the network of these services in the country, deinstitutionalization, as well as promotion of the interaction between healthcare and social services. The Strategy has also presented the particular sub-purposes, the implementation of which will require the application of an integrated complex policy in the field of long-term care, improvement of the quality of long-term care services, improvement of the personnel qualification and motivation and broadening of the circle of professionals involved in that field of services; better coordination between healthcare and social services. The implementation of the Strategy will also contribute to the provision of comprehensive support to the families taking care of people with disabilities and elderly people.

The social services in the community are a successful form of social inclusion of the people with disabilities. In order to promote with priority their development and provision, the legislation has introduced the requirement for social services at specialized institutions to be provided only after exhaustion of the possibilities for provision of services in the community. Moreover, the scope of services in the community has considerably broadened since 2009 and onwards, including those with people of disabilities as a target group. The expansion of the scope of social services in the community, such as daycare centers, centers for social rehabilitation and integration, sheltered facilities, home care services (personal assistant, social assistant, home care assistant, social patronage services) is aimed at a fuller coverage and satisfaction of the needs of people requiring specialized care and support. According to the effective legislative framework 13 forms of social services in the community are provided throughout the country, financed with funds from the state budget, and are supposed to satisfy the various and specific needs of the target groups, of which those appropriate for children and people with disabilities are: personal assistant; social assistant; home care assistant; daycare center for children and elderly people with disabilities, center for social rehabilitation and integration for elderly people, center for social support, social training and professional center, sheltered facility, transitional housing, family-type accommodation center.

Presently, as highly appropriate forms of social services for the people with disabilities there are functioning daycare centers for children and people with disabilities (by the end of September 2014 their number is 150, with a total capacity of 4 135 places) and centers for social rehabilitation and integration (by the end of September 2014 their number is 108, with a total capacity of 3 622 places). For comparison, by the end of December 2009 the number of daycare centers for children and people with disabilities is 121, with a capacity of 3 244 places, and the number of centers for social rehabilitation and integration is 55, with a total capacity of 2 150 places which shows an increase in their number with approximately 24%.

At the daycare centers conditions are created for comprehensive service during the day, incl. weekly, related to the satisfaction of health, rehabilitation needs, as well as the needs of organizing of leisure time and personal contacts. The centers for social rehabilitation and

integration provide consultancy services related to performing rehabilitation, social and legal consultancy, education and vocational training and orientation, preparation and implementation of individual programmes for social inclusion. These services provide support for the social inclusion of people with disabilities, including specialized support, and for that purpose they employ various specialists – social workers, nurses, labour therapists, rehabilitators/ ergotherapists/kinesitherapists, speech therapists, psychologists. Children with disabilities and their families have free access to the specially designed for them social services, as well as to all other social services. Furthermore, in order to ensure that the individual needs of the people with disabilities, including children are complied with, a regulatory requirement exists that social service suppliers should prepare an individual plan after assessment of the needs of each consumer and formulation of the purposes that must be achieved.

Having regard to the enhancement of the legislative framework in the field of social services and in order to ensure a better and targeted support to people with disabilities, a differentiated approach was adopted in 2014 (effective as of 2015) for determination of the amount of the standard for financing of social services depending on the type of care and the target group they are provided to. It is aimed at a better distribution of the funds depending on the extent and intensity of the care provided in the various social services.

Social services provided at home are a basic condition for the promotion of the active way of life of the people with various disabilities. Among the successful social services for support to people with disabilities and their families are the services „Personal Assistant”, „Social Assistant”, „Domestic Worker“, which have been provided since 2003 within the framework of the National Programme "Assistants to Persons with Disabilities" and under different schemes of the Operational Programme “Human Resources Development “ (OP HRD). The programme provide home-based care to people with permanent disabilities or severely sick single people through inclusion in employment of unemployed people as personal and social assistants. It has an impact upon the reduction of the number of persons with disabilities admitted in specialized institutions through their deinstitutionalization into family environment and improvement of their living conditions. Parallel to that, the programme creates jobs in the field of social services. Support to the people with disabilities is provided through different schemes under the Operational Programme “Human Resources Development” co-financed by the European Social Fund, and this trend will be preserved and further developed through particular measures and schemes in the new programming period.

In order to provide complex support to children with disabilities and their families, in addition to the social services in the community, an extraordinary contribution to the promotion of their social inclusion is made through the funds granted according to the procedure of the Law on Family Child Benefits (LFCB). The granting of family child benefits for children with permanent disabilities does not depend on the type of disability. Families of children with permanent disabilities receive all types of aids under the Law on Family Child Benefits without an income test, as well as an additional lump-sum aid upon the birth of a child with disability, monthly family child benefits until completion of secondary education at double amount, monthly family dependent child allowance for a child until 2 years of age (for children without disabilities it is only up to 1 year) and a monthly allowance for a child with permanent disabilities until 18 years of age and until completion of secondary education but not later than 20 years of age. The allowance is received regardless of the family income in order to support the upbringing of the child in family environment.

For 2013 the average monthly number of children with disabilities for which a monthly allowance is received for children with permanent disabilities until 18 years of age and until completion of the secondary education but not later than 20 years of age is 23 650. The paid sum is BGN 68 619 001. For the period January-October 2014 the average monthly number of children with disabilities who have received the allowance is 24 944, and the sum paid is BGN 70 216 888.

The social inclusion of children with disabilities is also promoted by the Social Inclusion Project implemented by the Ministry of Labour and Social Services as an expression of the efforts of Bulgaria to develop and implement integrated policies for early child development – for children from 0 to 7 years. The project is aimed at prevention of social exclusion and reducing the poverty among children through investments in the early child development. Through its implementation the municipalities will launch the provision of a new type of services for children and families for early child development, for prevention of the risks at early childhood age, for a better coverage and improvement of the preparedness of children for inclusion in the educational system, for improvement of the family environment. One of the activities under the project is consulting the parents about the network of services for support (social, healthcare, for employment, etc.) and their role for the development of the child, as well as the role of the community support. As a result of the project implementation it is expected to have: improved school preparedness of the children from low-income families and children with disabilities under 7 years of age; improved general welfare of the children, broadening of the scope of services related to childcare provided to low-income children and children with disabilities under 7 years of age.

In 2014 experts from the Employment Agency cooperated for the implementation of a project of the Children's Heart Association": „Improvement of the Practices for Care towards Teenagers and Young People with Heart Diseases through Improvement of the Expert Capacity of the Partnering Organizations from Bulgaria and Spain”.

The National Programme “Assistants to People with Disabilities” is implemented in support to the people with disabilities and is aimed at alleviation of the difficult social situation of people with permanent disabilities or severely sick single people through provision of employment to personal or social assistants for delivery of social services in the community. The programme is financed by the state budget.

Specific recommendations – pensions

The specific recommendations of the Council of the European Union of 2013 and 2014 for out country, in the field of pensions, recommend the introduction of more stringent criteria and procedures in the granting of disability pensions.

In accordance with the Bulgarian legislation the orders for granting disability pensions and care allowance are issued based on a decision of a medical commission with the territorial division of the National Social Security Institute. The medical commission consists of a chairman and two members who are designated by the head of the territorial division of the National Social Security Institute. In 2011 with a change in the provision of Article 98(4) of the Social Security Code it was made possible for the chairman of the medical commissions with the territorial division of the National Social Security Institute to file complaints against the expert decisions of the Territorial Expert Medical Commission and the National Expert Medical Commission where the medical commission decides that the expert decisions have

been improperly issued. As a result of the strengthened control in 2013 a reduction is observed of the granted disability pensions.

As stated in a reply to the Specific Recommendations of the Council for our country in 2014, we find that the criteria for granting disability pensions are sufficiently high and complied with the standards provided for the international acts to which Bulgaria is a party. The problem with the increasing number of those pensions is rather concerning the issue of the documents certifying a part of the criteria for granting a disability pension, namely the degree of disability. In this connection different opportunities and measures for limitation of the abuse related to the granting of disability pensions continue to be discussed this year with the Advisory Board for optimization of the social security system with the Minister of Labour and Social Policy. Presently no measures for change of the mechanism for assessment of the ability to work are provided for and discussed.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

In accordance with the Law on the Integration of People with Disabilities for collaboration in the development and implementation in the area of integration of the persons with disabilities **a National Council for Integration of the People with Disabilities** was established with the Council of Ministers having as its Chairman the Minister of Labour and Social Policy. The National Council is an advisory body attended by representatives of: the state designated by the Council of Ministers, the national representative organizations of and for the people with disabilities, the national representative organizations of factory and office workers, the national representative organizations of employers and the National Association of Municipalities in the Republic of Bulgaria. The National Council gives opinions on all drafts of legislative acts, strategies, programmes and plans concerning the rights of the people with disabilities and their integration.

The Ministry of Labour and Social Policy acts in close cooperation with multiple institutions and organizations in defining and developing the policy in the field of social inclusion and social services for the different target groups, including for the people with disabilities. At each stage of the development of the policies of extreme importance are the consultancies with the social partners, the non-governmental organizations, the local authorities which are closest to the citizens and are better aware of their individual needs, as well as the business and the academic community. A similar approach of cooperation and communication presupposes an opportunities for quick reaction and adequate solution of arising problems.

A very good partnership has been built with the civil society, in view of the fact that a large percentage of social service suppliers are namely non-governmental organizations and they are actively involved in our activity directed towards improvement and development of the social service system. On the institutional level there is a rather close cooperation with the Ministry of Health, Ministry of Finance, Ministry of Justice, Ministry of Education and Science, Ministry of Interior, the State Agency for Child Protection, the Ombudsman of the Republic of Bulgaria. With regards to non-governmental organizations, the interaction with them is performed both on the operational and the strategic level and it is related with communication and dialogue on a daily basis. An important form for participation and cooperation with the civil organizations is their inclusion into the composition of bodies with advisory or management functions. In the area of social inclusion a body for carrying out

coordination, cooperation and consultancy in the development, implementation, monitoring and evaluation of the state policy is the National Council for Social Inclusion whose chairman is the Minister of Labour and Social Policy.

Moreover, in addition to Bulgarian non-governmental organizations, a close cooperation for the purpose of exchange of experience and expert knowledge in the field of social services and improvement of the policies in that area is carried out with different international and donor organizations. Consultancies are held with the social partners on all matters concerning the reforms in the sector and the development and improvement of the social service system.

In its activities the Agency for People with Disabilities consults and acts in partnership with NGOs of and for people with disabilities.

Partners of the Employment Agency for provision of services to people with disabilities, in addition to employers, are also various NGOs –the Multiple Sclerosis Society, MS Society Foundation Bulgaria, the Institute for Social Services in the Community Foundation, Dia-Sport Association, the Bulgarian Association for Persons with Intellectual Disabilities, the Global Initiative on Psychiatry Foundation, the National Federation of Employers of Disabled People. Through participation in the round tables and conferences organized by NGOs, the Employment Agency provides active support for the implementation of initiatives and projects directed to training and job placement of people with disabilities.

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

Promotion of the social inclusion of people with disabilities is a significant priority on the political agenda of the European Union. In this regard the provision of support to persons with disabilities is an important part of the objectives for inclusive growth set by the EU through the implementation of the Europe 2020 Strategy and its leading initiatives. The achievement of the set objectives in the field of employment, education and combating poverty on European and national level is a key prerequisite for the social inclusion of the people with disabilities as a specific vulnerable group. In this connection it should be noted that a primary objective of the European platform for combating poverty as one of the key initiatives of the Europe 2020 Strategy is to guarantee the respect for the fundamental rights of the people affected by poverty and social exclusion and provision of opportunities for them to live in dignity and actively participate in the society.

It must be noted that the European Disability Strategy specifies the actions under the Europe 2020 Strategy in fulfillment of the commitment undertaken by the Union for building a barrier-free Europe until 2020 for about 80 million persons with disabilities. In this connection, series of measures have been planned which are directed to promotion of the problems of the people with disabilities, encouragement of their participation on equal terms, collection of information and monitoring, with a more active cooperation between the Member States and the civil society on the issues of the people with disabilities, etc.

5. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

The second pillar of the strategy of the Operational programme “Human resources development” 2014 – 2020 (HRD OP) concerns the need to achieve considerable, tangible and sustainable progress in reducing the high risk of poverty and social exclusion that Bulgarian citizens are faced with. Analyses show that the most pressing social exclusion issues in the country are related to unemployment, low level of education, low incomes, the need to provide access to information and communication, accessible physical environment and transport, particularly for people with disabilities, access to culture and sports, and to public services, among them financial ones. The number of people with disabilities is constantly on the rise. Therefore people with disabilities are one of the groups most seriously addressed by the HRD OP strategy, in its part for supporting active inclusion policies.

Hence, a key priority of the country, also by employing investments under the HRD OP 2014 - 2020, is to encourage the active inclusion in the labour market of those that are away from it including the people with permanent disabilities.

In many of the cases the HRD OP 2014 - 2020 approach is to integrate services from the two sectors (labour market and social inclusion) as a means of achieving a stronger positive effect both with respect to preventive investments and with regard to the subsequent support for those persons that are at a disadvantage. This is particularly valid for the investment priorities targeting representatives of all vulnerable groups, including persons with disabilities.

Within the different priority axis of the programme specific activities that will promote equal opportunities and non-discrimination are foreseen. In the field of labour market and social inclusion indicative eligible activities are for example:

Improving the access of the people with disabilities and other vulnerable groups to employment through implementation of integrated comprehensive measures and provision of support services, including in the community; provision of support services, including integrated cross-sectoral services in the community or in home environment; provision of early child development services; provision of prevention and early intervention services to children; provision of services for elderly people (including single people over 65 incapable of self-care), people with disabilities and other vulnerable groups; provision of the resources and services, including prevention services, needed to eliminate the institutional model of care for children and youth by establishing networks of social and cross-sectoral services in the community, in a family or family-like environment; provision of the resources and services needed to eliminate the institutional model of care for elderly people and people with disabilities by establishing networks of community-based social and cross-sectoral services; support for the operation of social enterprises, specialised enterprises and cooperatives for people with disabilities in relation to providing employment; social marketing and popularisation of the social economy and social entrepreneurship; social and vocational integration of representatives of the vulnerable groups in the social economy sector; training and qualification for the people being employed in the social enterprises, specialised enterprises and cooperatives for people with disabilities; equipment and workplace adaptation; support for actions relating to forming partnerships and dissemination of good practices in the area of social economy; enhancing the capacity and human resources for effective management of the social enterprises, specialised enterprises and cooperatives for people with disabilities; provision of "supported employment" to people with disabilities; public awareness campaigns on the potential of the social economy.

Target group/ geographical area	Main types of planned actions as part of integrated approach	Priority axis	Fund	Category of region	Investment priority
People with disabilities	<ul style="list-style-type: none"> • Information provision and professional orientation and career advisory services for people with disabilities registered as job-seekers; • Activation and motivation for economically inactive or long-term unemployed persons and people with disabilities; • Support for hiring people with disabilities in specialised work environment – in specialised enterprises and cooperatives for people with disabilities; • Support for hiring people with disabilities in regular work environment, including by reducing labour costs, adapting the existing jobs to the needs of the people with disabilities, introducing flexible employment (e.g. remote or home-based jobs), etc.; • Provision of vocational and key competences training adapted to the needs of the people with disabilities; • Support for business start-ups of people with disabilities; • Provision of community-based or home-based support services for independent living and personal development to the people with disabilities; • Mobilising the resources necessary for eliminating the institutional care model for elderly people and people with physical and mental disabilities by establishing a network of family or family-like social services. 	Priority axis 1	ESF	Less developed	IP1, IP2, IP3
		Priority axis 1			
		Priority axis 2	ESF	Less developed	IP1; IP2
		Priority axis 2	ESF	Less developed	IP4
		Priority axis 1			
		Priority axis 2	ESF	Less developed	IP7
		Priority axis 1			IP 2
		Priority axis 1			
		Priority axis 2	ESF	Less developed	IP1, IP6
		Priority axis 2	ESF	Less developed	IP5 IP5
Priority axis 2	ESF	Less developed	IP2		
Priority axis 2	ESF	Less developed	IP3		

In HRD OP the partnership principle covers all actions and spans over every stage of the project cycle. The application of the partnership principle at the programming level is secured by the active involvement of all stakeholders in the programming and monitoring process, including the social partners, academic community, nationally represented organisations of and for people with disabilities recognised by the Council of Ministers as per the People with Disabilities Integration Act and representatives of NGOs working in different areas through ensuring their participation in the thematic working group tasked with developing the new operational programme;

According to the mechanism for selection of NGOs which to be represented and to take part in the working group tasked with the drafting of the Partnership Agreement and the programmes of the Republic of Bulgaria for the 2014 - 2020 programming period representatives of the following 9 organisations working in different areas were included in the thematic working group:

1. Social organisations working for the integration of ethnic groups and immigrants;
2. Social organisations working in the field of human rights and citizens' rights and freedoms;
3. Social organisations working in the field of gender equality and non-discrimination;
4. Social organisations working in the field of social inclusion;
5. Social organisations working in the field of social care;
6. Social organisations working in the field of public health;
7. Social organisations working in the field of youth;
8. Organisations working in the field of education, science and culture;
9. Organisations working in the field of development policies.

Given the objectives and the scope of HRD OP 2014-2020 consultations were held with the Commission for Protection against Discrimination, the National Council for Integration of People with Disabilities and the National Council for Cooperation on Ethnic and Integration Issues.

More information is available at http://ophrd.government.bg/view_doc.php/6016

Under the **Operational Programme „Science and Education for Smart Growth 2014 - 2020”**, Operational Axis No 3 „Educational Environment for Active Social Inclusion”, the implementation of a project is provided for with the purpose of provision of conditions and resources for creation and development of a supporting environment in kindergartens and schools for performance of inclusive education. The operation builds upon the project BG051PO001-4.1.07 „Inclusive Education“ under Operational Programme „Human Resources Development 2007-2013”, co-financed by the European Social Fund. The Operational Programme „Science and Education for Smart Growth 2014 – 2020” is a key instrument for achievement of the objectives adopted by Bulgaria within the framework of the Strategy for Smart, Sustainable and Inclusive Growth (“Europe 2020” Strategy). The programme is the only one for the next programming period which is with multi-fund financing by the European Regional Development Fund and the European Social Fund.

In line with the thematic orientation of the investments of the European Social Fund (ESF) and in implementation of the National Strategy for Reducing Poverty and Promoting Social Inclusion 2020, one of the key priorities of the Operational Programme “Human Resources Development (HRD OP) is the support for the policies for active inclusion of the people with

disabilities. This support combines a complex of integrated measures for facilitation of the access to quality services, promotion of employment and social entrepreneurship.

Measures in the direction towards the social inclusion of the people with disabilities are laid down in Priority Axis 2 “Reducing Poverty and Promoting Social Inclusion”, Investment Priority 3: „Improvement of the access to affordable, sustainable and high quality services, including healthcare and social services of general interest”. One of the specific objectives in this respect is the improvement of the access of people with disabilities and people over 65 years incapable of self-care to services for social inclusion and healthcare.

At the focus of the Operational Programme is also the development of cross-sectoral services and social services in the community and in home environment which is a basic condition for the provision of equal and effective access to basic services to the people in need of long-term care. In compliance with the National Strategy for Long-Term Care the HRD OP will be striving for creation of conditions for independent and dignified life for the elderly people and the people with disabilities through improvement of the access to social services and their quality, expansion of the network of those services in the country, deinstitutionalization, as well as promotion of the interaction between healthcare and social services. This will also help for the provision of comprehensive support to the families which are presently mainly involved in taking care of people with disabilities and elderly people. In the context of deinstitutionalization, the HRD OP has also envisaged targeted support for replacement of the institutional model of care for the elderly and the people with disabilities in the community. Support will also be provided for the functioning of social enterprises, specialized enterprises and cooperatives of and for people with disabilities in order to provide supported employment to persons who find it difficult to integrate in the labour market.

During the programming period 2014 – 2020 the access to the EU funds for people with disabilities for improvement of their situation will be guaranteed through the implementation of an Operational Programme under the Fund for European Aid to the Most Deprived (FEAD), a Managing Authority of which is the Agency for Social Assistance. The programme will be implemented throughout the country. With funds from the Programme food assistance will be provided to the economically deprived by:

- Provision of individual packages of food products;
- Provision of hot lunch by public dining-rooms.

Under the Operational Programme “Human Resources Development (HRD OP) accompanying measures for social inclusion and inclusion in employment will be provided for the representatives of the FEAD target group.

The aid provided by the FEAD will help the vulnerable groups in the direction towards overcoming poverty and social inclusion. The Fund will guarantee that those people can benefit from the measures provided for on the European level, by supplementation of the existing social cohesion instruments.

Stakeholders such as regional, Local and other public competent authorities, as well as non-governmental organizations were invited to participate in the development of the Operational Programme. The thematic workgroup which includes representatives of the organizations of and for people with disabilities has been formed. The group holds regular meetings for discussion and approval of the drafts of the programme text which are being developed in the course of its preparation. The decisions are taken by consensus and in compliance with

established internal rules laying down the details regarding information exchange and taking account of proposals by the workgroup members.

During the new programming period of the Operational Programme Human Resources Development the Agency for the People with Disabilities has been included as a beneficiary in many of the operational objectives. The same is valid for NGOs of and for people with disabilities.

Czech Republic

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Current situation:

People with disabilities are one of the most vulnerable groups on the labour market, especially when the current labour market situation is considered. However, there has been a positive development concerning employment of disabled people, even during the recession phase. There are considerable problems identified within the cooperation of employers and employment services. It is therefore necessary to target this area in the following period.

Trends since 2009:

There is a positive trend of increasing employment of people with disabilities, which can be ascribed to the employment policies concerned with people with disabilities. However, the effectiveness of the measures taken has decreased because of the raising costs. Between 2006 and 2010, the number of employed people with disabilities increased by 21 %, while the costs of the measures targeting the employment of people with disabilities increased by 76 %. The structure of the costs have changed as well – while the costs of active labour market policies have stagnated, spending on transfers supporting employment of people with disabilities almost doubled.

Structure of the employment of people with disabilities corresponds to this trend. In 2006, 19 % of employed people with disabilities were working for employers with more than 50 % employees with disabilities. In 2010, this figure has risen to 27 %. There is therefore a trend of moving the disabled employees to a sheltered labour market. The goal of labour market policies should be quite the opposite – i. e. to employ people with disabilities in an open labour market among the mainstream population.

Education

Current situation:

According to the 2013 survey, almost 60 % of people with disabilities have either none education or have completed primary education secondary education. 5,7 % of people with disabilities have no completed education, while 8,3 % have completed a tertiary education degree. In general, people with disabilities have a lower level of education than the mainstream population.

Trends since 2009:

There is a slight positive trend in gaining higher education – the proportion of people with disabilities that have completed tertiary education has grown by 1,3 % since 2006 to 2012. There was also an increase in the proportion of people with disabilities that completed their secondary education – by 3,4 %. The National Plan on Promoting Equal Opportunities for Persons with Disabilities stresses the importance of inclusive education. Every child has a right to be employed on a mainstream primary or secondary school in the region he or she lives in. The headmasters and teachers that educate children with disabilities must be offered methodical and financial support. Inclusion based on individual needs of every child will be

ensured by a bill to the Education Act which is being prepared. The new bill is closely tied to a trend of transforming the system of separated special schools for children with disabilities to a system of mainstream schools that are provided with the necessary expertise and methodical, didactical and technical background.

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Current situation:

The Czech Republic is bound to recognize the principles and policy guidelines contained in the Global Action Plan for Persons with Disabilities and the Standard Rules on the Equalization of Opportunities for Persons with Disabilities. The issue of disability is an integral part of the relevant strategies of sustainable development; according to the Anti-discrimination Act, discrimination against persons with disabilities is recognized as violation of the inherent dignity and worth of the human beings.

In order to continue in the process of deinstitutionalization, Czech Republic has formulated priorities such as: developing informal and shared care, awareness, transformation and deinstitutionalization of services and training in the social sphere and support to volunteer work; developing new models of community social services of general interest; support of critical social services, social and preventive programs and advancing the cooperation of social services providers (including cooperation with other actors) to promote social inclusion at local level.

The risk of poverty of persons with disabilities in the Czech Republic because of their low income is not monitored separately, although we have a variety of structured data on poverty providing considerable detail. The Czech Statistical Office carries no regular investigations in this area. The Czech Republic, one of the EU countries with the lowest income poverty in the long run, has reached the level of 9.6% in 2012, while the EU average was about 7 percentage points higher (the figure was 16.9% for the EU 28 in 2012). There was a further decline in 2013 to 8.6% (preliminary data for the EU 28 show 16.7%).

In terms of benefits, it can be noted that adverse health condition is reflected in poverty benefits (benefits in material need). For those who must comply with an expensive diet, the amount of subsistence minimum increases which has an impact on their living allowance. A list of diets and the amounts that increase the amount of subsistence minimum as well as the expertise of the doctor who confirms this fact is laid down in Decree No. 389/2011 Coll., on the Implementation of Certain Provisions of the Act on Assistance in Material Need. The increase varies from 1000 CZK (diet during dialysis) to 2800 CZK (diet for the celiac disease) per the diet type. An adverse health condition that requires special housing needs it also reflected in the housing allowance.

Trends since 2009:

Subsidies provided to residence social care services are much higher than the subsidy for field service as the provision of these services is much more expensive (especially the costs of managing and maintaining buildings). The highest part of the cost of field service is formed by labor costs. It is true that there are a large number of residential social services in the Czech Republic. Therefore, the state is taking steps to reduce the number of them through the transformation of such facilities and prioritization of field and outpatient services.

In its long-term priorities in grants to social service providers (from 2015 to the regions which will redistribute funds to providers of social services in their respective territories) the Czech Republic supports outreach and outpatient services of social care that allow the users to live in their natural environment. Another priority is to promote residential social care services implementing steps towards deinstitutionalization and humanization and support to social services resulting from or arising in connection with the process of transformation of residential facilities. Other separate priorities for 2015 are: support to social services for persons with mental illness and support services for people with autism spectrum disorders, neurodegenerative disorders (esp. with Alzheimer's disease, Parkinson's disease), with multiple disorders and diseases with a low prevalence.

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

The 6th National Plan on Promoting Equal Opportunities for Persons with Disabilities 2015 - 2020 (hereinafter referred as to "National plan") was approved by Resolution of the Government of the Czech Republic No 385 of 25 May 2015.

As far as employment is concerned, the new National plan is introducing adjustments to support employment of people with disabilities, i.e. a modification of the Employment Act. The goal of the changes is to streamline the existing tools of employment policy in order to prevent misuse of instruments intended to support this target group and for resources to be directed to supporting the actual employment of persons with disabilities.

The adjustments are related to:

- a) contribution for promotion of employment of persons with disabilities in accordance with Section 78 of the Employment Act
 - The goal of amending the Employment Act when it comes to unemployment benefits was to streamline the financial support that is provided by the Labour Office of the Czech Republic to employers who employ persons with disabilities who make up more than 50% of their employees. That meant to exclude from the aid specifically the entities that carried out their business activities solely for the purpose of obtaining state aid and basically fictitiously employed people with disabilities for this purpose. For this reason, the benefit to support employment of persons with disabilities has been provided since 1 July 2012 only for employees working in sheltered jobs the delineation of which is done according to clearly defined conditions. The conditions for the designation of sheltered jobs exclude certain practices of employers which used to be applied to obtain the benefit (e.g. deductions from salaries are excluded, salaries have to be provided to employees by bank transfer, a certain percentage of people with disabilities cannot work in their homes, etc.).
 - Another change was to lay down a contribution of the employer. Therefore, the benefit has been provided from 1 July 2012 at 75% of labor costs incurred per employee with disabilities (up to 8000 CZK per month). 25% of the labor costs are therefore borne by the employer, paid from their own funds. In addition to the above objectives, the introduction of participation of the employer is related also to the intention of a systemic approach to aid provided for the employment of people with disabilities and aid related to social or occupational therapy of these people. The aim is to separate occupational therapy and support to employment of people with disabilities which should only partially compensate

to employers the increased costs associated with the loss of ability to work of persons with disabilities.

- As already mentioned, these measures have eliminated abuses of the benefit for the promotion of employment of persons with disabilities. The money saved in this way was reinvested into supporting employment of people with disabilities the benefit to support employment of persons with disabilities is increased by CZK 2 000 per month for one person with disabilities one year after a sheltered job position is created. This increase to the benefit has been paid out to employers since 2012 to cover increased administrative costs, costs of operational staff and assistants, transportation costs related to employment of persons with disabilities and the costs of adapting the premises.

b) Mandatory proportion of employees with disabilities in accordance with Section 81 of the Employment Act

- According to the said provision of the Employment Act, every employer employing more than 25 employees has to employ people with disabilities at the mandatory share which is 4% of the total number of employees. The above-mentioned obligation of an employer may be met:

1. by employment of persons with disabilities in labour-law relationship
2. by purchasing products or services from employers employing more than 50% of persons with disabilities
3. by payment of money to the state budget.

Compliance in the manner described in the second indent sometimes suffers when entities employing more than 50 % of persons with disabilities invoice goods or services in the manufacture or delivery of which no employer of persons with disabilities has participated. Therefore, a limit was introduced in 2012 of the volume of supplies that a contractor (employer with more than 50% employees with disabilities) can supply in a given year for the purposes of meeting the mandatory share of supply. This led to a restriction of the said undesirable behaviour of suppliers which will ultimately contribute to the promotion of employment of people with disabilities.

Active employment policy instruments will be implemented in order to promote employment of persons with disabilities that motivate employers to employ this group of people. These are financial benefits provided to employers to create new jobs for persons with disabilities, i.e. sheltered jobs. In this case, employers are provided the benefit for the purchase of equipment necessary for the creation and customization of the workplace. The employer hires workers with disabilities into such supported job and has an obligation to keep the job position for 3 years.

Subsidies will also be provided for persons with disabilities who choose to be self-employed. The subsidies are a financial benefit towards the purchase of equipment needed to start a business.

Benefits to partially cover operating costs will be provided to employers of persons with disabilities and persons with disabilities who are self-employed. The benefits will be granted to cover increased administrative costs, costs of operational staff and assistants, transportation costs related to employment of persons with disabilities and the costs of adapting the premises.

In the field of education, the new National Plan has the following main objectives:

- a) to continue the inclusive education system

- b) to choose the form of education in accordance with the best interests of the child, pupil, student
- c) to provide persons with disabilities support regarding education at all levels of education, including lifelong learning

The individual measures will focus on the implementation of systemic and policy measures to increase equal access to education. A bill to the Education Act is currently ready to be approved, amending the provision of Section 16 on the education of children, pupils and students with special educational needs by fundamentally changing the principle of providing supportive measures to these persons. The newly defined system of 5 degrees of supportive measures aims to ensure regular schools improved personnel and financial conditions for inclusive education. It will strengthen the role of school counselling centres and services provided to children, pupils and students, but also to their families. The plan is to target care towards families and link cooperation at the level of several ministries, not to keep it only with the Ministry of Education.

In the area of the social inclusion the National plan mentions the following specific objectives and measures:

- a) Development of community services that reflect the needs of people with disabilities and assist in retention in their natural social environment; in response to a reduction in mass-residential facilities (measures: Individual MoLSA project aimed at supporting the transformation of social services and community; Creating material and technical standard
- b) Financing of social services that reflect the needs of people with disabilities and help to remain in their natural environment (measure: Consistent support outreach social care services, i.e. increasing support these services by public sources, or at least maintaining the status quo)
- c) Support for caregivers of persons with disabilities (measures: Systematic support of caring people, which will improve their quality of life and facilitate the return to the labor market, Setting the legislative rules for the provision of informal care in a natural habitat of PWD)
- d) Training and development of staff working in the social services and social workers working in municipalities with extended competence in providing support and assistance to persons with disabilities, especially when working in a natural environment (measure: Support facilities for the performance of social work for municipalities; promoting education for social service workers and communities through projects financed from EU funds; adjusting the qualifying conditions for workers in the social services system; preparation of the Act on Social Workers; optimization offers accredited courses employers and workers in the field of social services; destigmatization (education) of persons with disabilities
- e) Supporting targeted PR activities for major target groups (in particular judges, doctors, police officers)
- f) The reform of psychiatric care and its connection to the social services system (measure: development of social services for people with mental illness through EU funds)
- g) Social housing adapted for people with disabilities (measure: Setting up support emerging social housing to include support housing adapted for people with disabilities)
- h) Higher rates of application of rights under the Convention on the Rights of Persons with Disabilities (e.g. the mechanism detention proceedings in the social services)

system) (measure: The concrete specification of the conditions for detention in social services and its legislative basis)

- i) Programs to "reintegrate" people with disabilities into the labor market, using already acquired training and qualification (measure: preparing recommendations for social services aimed at obtaining job skills to collaborate with entities operating in the open and sheltered labour market (especially employers, employment agencies, employment agencies); setting permeable system of social and vocational rehabilitation; survey of the needs of disabled clients of social services focused on the labour market; support the development of specific programs of social services aimed at applying PWD using their education and skills)
- j) Specific support to women with disabilities (measure: In adopting all organizational, legal and factual measures that relate to the lives of people with disabilities, ensure equal conditions for women with disabilities)
- k) Making optimum county social services network (according to uniform rules of the Legislative Decree) bound to the available financial resources (processing methodology of regional networks, the legislative definition of methodology; networking services to individual regions according to legislative requirements (unity of creation, establishment of funds))
- l) Financing of individual types of services differently, depending on who actually ordered services (measures: assessing the feasibility of implementation and operation of income / means-tested, personalized payments, which equates objective disadvantage a particular client - especially in social care services; the introduction of social service funding rules of the European Commission for granting public aid compatible with the internal market, in the form of calculating the amount of grant using the institute of compensation according to the SGEI Decision - especially in social services, counseling and prevention (measure: Strengthening the role of regions and municipalities through their greater participation in determining the form and financial security services provided in their territory)
- m) Psychiatric care, standing between the social and health systems, is highly centralized, institutionalized and does not meet the current requirements for optimal treatment. Mental illness still presents a stigma in the Czech Republic. The awareness of the public about mental health issues and mental illnesses is inadequate. Although there are some drug prevention programs, there are few programs for mental health promotion, prevention of stress and mental disorders. Primary care is only partially connected to the field of care for mental health – mental disorders. Primary care staff are not always fully informed of early diagnostics and modern approaches to prevention, treatment and rehabilitation of mental disorders. The number of community facilities and services (crisis centres, day care centres, sheltered workshops and sheltered housing, etc.), which have been developing inly in the last few years, are completely insufficient.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

In the Czech Republic the disability movement is well developed and organised and organizations of persons with disabilities have also traditionally been actively involved in process of preparing new National plan. The main role in this process is played by the Czech National Disability Council (CNDC), which is an umbrella organisation of civic associations

of persons with disabilities (CNDC has about 115 member DPOs which are associating about 300 000 persons with disabilities or their representatives).

The fundamental aim of the CNDC is:

- to advocate, promote and meet the rights, interests and needs of PwD, regardless of the kind or extent of their disability
- to collaborate with central state administration, regional and local governments
- to cooperate with organizations working and institutions at both the national and regional level
- to put forward proposals to both national and local government concerning legislative or other relevant measures for the advancement of PWD;
- to assess draft measures concerning the living conditions of PWD, drawn up and submitted to the CNDC by other bodies or institutions;
- to participate, in compliance with the relevant legislation, in the development and execution of long-term policies related to the equalization of opportunities for PWD at both the national and the regional level;
- to raise public awareness of disability issues

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

There are other important areas influencing lives of persons with disabilities such as accessibility of buildings and public areas (barrier-free use of buildings), transport and access to information.

5. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

The Czech Republic will continue to focus on fulfilling the priorities of the cohesion policy targeted on social inclusion and integration of people with disabilities. Measures will be taken on national, regional and local level, using the EU funding, specifically the programming period ESIF 2014+.

The operational programmes focus on fulfilling the European priorities, particularly the goals of Europe 2020 Strategy and the National goals of Czech Republic that are derived from this strategy. In the field of social cohesion, the activities for social inclusion of people with disabilities will be financed mainly within the Operational Programme Employment, Integrated Regional Operational Programme and Operational Programme Research, Development and Education.

Apart from employment, the aforementioned operational programmes will facilitate social integration of people with disabilities and support equal opportunities in the area of labour market and human resources. The programmes will cover the development of social services and other measures leading to social inclusion and preventing social exclusion, such as transformation of institutionalized services to community-based services, increasing quality and accessibility of social services, educational programmes, courses or vocational education.

Denmark

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Current situation:

Compared to people without disabilities, persons with a disability or long-term health problem have a statistically significant lower employment probability. This applies to people with minor disabilities and persons with a major disability. Employment probability, however, is significantly lower among those with a major handicap. The share of employment among people without disabilities is 77 per cent. While the corresponding proportion among people with minor disabilities and people with a major disability is 67 per cent and 27 per cent.

Within the group of persons with disabilities, the employment rate among people with a mental disorder is small. The share of employment among people with a mental disorder is 24 percent and between 45 percent and 64 percent among persons with either a mobility disability, a sensory and communication disability or illness as the main handicap.

Trends since 2009:

The proportion of people who report that they have a disability or long-term health problem has increased from 15.9 percent in 2010 to 17.6 percent in 2012.

The employment rate among persons with disabilities has not changed significantly since 2010. For those with a major disability, employment has fallen sharply from 31 per cent in 2010 to 26.8 per cent in 2012.

Data: Survey data from the Labour Force Survey 2012 (on approximately 19,000 people aged 16-64 (Danmarks Statistik).

Education

Current situation:

There are no specific data on children and youth with disabilities regarding education.

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Current situation:

Register data does not identify whether a person is disabled. It has not been possible to identify ad hoc analysis that could provide information about the group of people with disabilities as regards their social inclusion, standard of living and risk of poverty.

The degree of disability of the group varies greatly, as it ranges from people who has a small disability who due to proper services are able to maintain a normal living to people who obtain disability pension due to inability to work.

Furthermore the principle of sector accountability is a key element of the Danish disability policy. Sector accountability implies that the public authority responsible for an activity, a service or a product is also responsible for making it accessible to persons with reduced functional capacity. In this way, activities targeted at persons with disabilities are no longer primarily a task for the social sector, but the responsibility of all relevant sectors in the Danish society, for example housing, transportation, labour market, training and education and the health sector.

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

Regarding Employment:

Today there exists a number of schemes to support more people with disabilities achieve employment.

- Flex job: Persons with disabilities are entitled to a "flex job". A flex job is a job in the public or private sector, that takes into account the fact that one's work capacity is limited because of illness, mental or physical disability
- "Disability compensation schemes": Disability compensation schemes is a right for people with disabilities which include
 - Personal assistance
 - Aids (granting of aids/tools at the workplace)
 - Icebreaker scheme (a wage subsidy for recent graduates with disabilities)
 - Priority access

In addition, the government has allocated 42.6 million in the years 2012 to 2015 for social enterprises. Social enterprises are businesses whose overall objective is profit rather than making a profit for its owners or partners, which uses its profits for social purposes. Social enterprises have a particular focus on providing the care and support needed for the more vulnerable unemployed entering the Danish labour market. Moreover, they focus on using the skills that disadvantaged labour market needs. When it comes to vulnerable unemployed who are far from the ordinary labour market, the social economy enterprises are an important supplement to the general options.

There is also centrally initiated a series of analyzes of disability and employment in order to create more and better knowledge in the field, such as The Danish National Centre for Social Research annual survey and Rambolls meta-evaluation of disability-oriented employment projects.

Every year the Danish Agency for Labour Market and Recruitment transpose different pools, which provides support to local projects working with inclusion in the labor market for people with disabilities.

Regarding Education:

Reform of primary and secondary school

From the school year 2014/2015 all students have a longer and more varied day of school.

The reform has three focused goals:

- The public school must challenge all students to reach their full potential.
- The public school must lower significance of social background on academic results.
- Trust in the school and student well-being must be enhanced through respect for professional knowledge and practise in the public school.

The reform of the public school gives a new framework for developing the public schools and to achieve the goals for inclusion. The strengthening of ordinary teaching is seen as the most important focus to support the process towards greater inclusion.

Inclusion goal

Although it is a fundamental value that there will always be room for all children in the public school, too many students have been separated from the ordinary classroom teaching. To meet this challenge the Government has agreed with the local government's organisation on a range of initiatives moving towards greater inclusion. The Government's goal: 96 percent of students in public schools will receive teaching in ordinary classes within 2015. Today it has increased from 94,4 in 2010/11 to 95,2 in 2013/14.

The Government has taken various initiatives to promote quality inclusion

The establishment of a national Resource Center for Primary school, that includes the former Center for Inclusive Education and Special Needs Education (Ressourcecenter for Inklusion og Specialundervisning: <http://inklusionsudvikling.dk>)

Joint prevention strategies – establishment of at Corps of learning consultants, that includes the former National Inclusive Counselling Unit.

Earmarking of funds for developing IT materials and new learning methods for pupils in need of special support.

Other initiatives

The Danish Ministry of Education has developed new tools to ensure optimal support for children with dyslexia or dyscalculia and for children having difficulties in understanding languages. The initiatives are:

- A dyslexia test introduced in 2015
- A test for mathematics disorders (to be completed in 2018)

Analysis of the area of adult and continuing education. The Danish Government will appoint an inter-ministerial working group to identify challenges in the area of vocationally-oriented adult education or continuing training programmes in relation to the inclusion of people with disabilities. This work will identify how people with disabilities who participate in adult and continuing education are compensated and whether they receive the necessary special educational help. The consultant's report is completed in 2014, but the working group will continue to work as it has been difficult to find data for the relevant areas.

Texts for all. The Ministers for Education and Higher Education and Science have completed an analysis of how institutions of education use various text formats in, for instance, teaching portals and library solutions. In addition, user-friendly guidelines will be prepared for the selection of formats describing, for instance, how different formats provide compensation and interact with different aids. The analysis was published in September 2014.

Special upper secondary school programmes for pupils suffering from Asperger Syndrome. From 2014/15 special classes for students with Asperger Syndrome were made permanent. The scheme is targeted at students with Asperger Syndrome in upper secondary school and higher preparatory examination programmes who cannot be individually integrated into general upper secondary school. At the moment there are seven schools who can offer special classes for students with Asperger Syndrom, and the opportunity to expand the project is being looked into.

New forms of support for students with mental problems. A project to ensure a continued effort to develop special educational assistance for pupils and students with mental illnesses, and/or development disorders, will be initiated. The project consists of the following: Developing the special educational assistance in higher education. Reviewing the existing special educational assistance in youth education. The final report is completed in August / September 2015, while the last of three external progress reports is handed in late June.

Flexible transitions between education programmes. The Ministry of Education has given Ungdommens Uddannelsesvejledning (youth guidance centres) permission to systematically pass on information to the new youth educational institution about the pupil's disability and need for special educational assistance. The youth guidance centres are able to screen for dyslexia if the pupils show signs of having reading and writing difficulties which have not been identified earlier.

Regarding Social Inclusion:

The Danish Government's long-term and multi-disciplinary action plan for the disability area 'A society for all' includes a number of long-term visions and goals for the development of Danish disability policies as well as a number of short-term initiatives. The action plan is based on the principle of "Nothing about us without us." (<http://sm.dk/publikationer/disability-policy-action-plan-2013-one-society-for-all>)

The Government has set up overall visions aimed at promoting the objective of increased inclusion and set up the framework the disability policy, including the work of implementing the UN convention on Rights of Persons disabilities in the coming years. One of the visions is "A society respecting diversity, in which all people are included as citizens in the many communities of society. A concrete initiative is the "Diversity barometer" which has been established to measure trends in education, occupation and citizenship.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

In general, civil society, specifically organisations of persons with disabilities, has a say in all matters concerning the development of policies to people with disabilities. The umbrella organisation Disabled Peoples Organizations Denmark is consulted on a regular basis on relevant matters and during all stages of the policy-making process.

To ensure involvement of organizations representing people with disabilities, the government hosted a series of dialogue meetings with relevant parties during the making of the action plan, for example Disabled Peoples Organizations Denmark, the Danish Institute for Human Rights and the Danish Disability Council.

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

In general, Denmark finds that the five current Europe 2020 targets should be maintained. These targets are still relevant and useful as policy anchors, covering the key priorities. Continuity and predictability and maintaining focus on the essentials is important to ensure progress towards the targets and the overall Europe 2020 objectives. In short, there is a need to optimize the current framework rather than introducing new approaches.

5. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

Non-discrimination and accessibility for people with disabilities is a general principle in the Danish society, and there are Danish laws on discrimination and accessibility that EU-funded projects must comply with.

Special attention is on gender and disability projects which focus particularly on targeting non-discrimination and equal opportunities, including accessibility. These must be prioritised in the selection of projects.

In the Danish European Social Fund programme there is, if needed, an opportunity to make specifically targeted contributions in certain areas for example concerning disability. The initiatives will be possible in all priority axes. But especially under Priority Axis 3 (social inclusion) there is a description of activities for specific actions to improve the employment or educational situation among a specific group, for example people with disabilities.

The list below includes partners (working on disability in Denmark) who have been involved in the programming process through meetings, informal written consultations, invitations to and participation in workshops:

- Disabled Peoples Organisations Denmark (DH) has 32 national member organisations representing more than 320.000 people with disabilities in Denmark. DH is the only Danish umbrella organisation in the disability field. DH is a member of the monitoring committee for the two Danish structural fund programs.
- The Danish Disability Council (Det Centrale Handicapråd). The Council's tasks are to monitor the situation of disabled people in society in view of UN Convention on Rights for Persons with Disabilities. The Council acts as an advisory body to Government and Parliament on issues relating to disability policy. The Council can take initiatives and propose changes in areas affecting the life of disabled people and their living conditions.
- The Danish Council for Socially Marginalised People. The Council is the voice of Socially Marginalised People and focuses on the societal understanding of social vulnerability.

Estonia

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Current situation:

The employment rate of disabled people is low in Estonia. The data of the Estonian Labour Force Survey indicate that in 2013, 22.6% of disabled people of 16-64 years of age were working (estimably more than 12,000 people), estimated 5.3% were actively looking for work and were ready to start working within the next 2 weeks, and 72.2% were inactive (estimably 39,000 people). The unemployment rate of persons with disabilities was 21,1% in 2013. Disabled unemployed people form approximately 6% of all registered unemployed people.

According to the statistics of Unemployment Insurance Fund, the number of disabled people having received the services has significantly increased over the recent years, reaching almost 5,000 in 2012. The labour market services most used by disabled people are work training and career counselling; practical training, work exercises and work club services are also used. Yet the rate of using the labour market services intended specifically for disabled people is low. For example, 27 people used the service of assistance in job interview and 37 people used the service of working with a support person in 2012, technical aids needed for working were given for free use to 13 disabled unemployed people in 2012 and 1 workplace was adapted to the needs of a disabled person during the year. 14 disabled unemployed people received aid to start a business and 116 disabled unemployed people were hired with a salary subsidy.

According to the survey on people with disabilities and care burden of their family members (2009), the factors hindering disabled people from starting work not only stem from the people themselves (for example, low confidence of coping successfully with work duties, fear of their own mental and physical health not holding up to the work load, lack of persistence and energy concerning the document management entailed in seeking work) but also include difficulties with finding part-time work, poor outlooks of receiving a dignifying salary and the fact that employers prefer to hire mentally healthy people who they can rely on with higher probability.

Yet 71% of working disabled people have not encountered any problems related to working or attending the workplace. The biggest problems are considered to be expensive and insufficiently available transport (11% of working disabled people) and difficulties with accessing or entering the workplace (10% of working disabled people).

To attend work, disabled people need transport assistance (41%) and flexible starting and ending times of work hours (23%), a possibility to distribute their work load across days as needed (20%) or a possibility to take rest breaks during the work at the time they need it (19%). The data of the Estonian Labour Force Survey indicated that in 2013, 10.2% of all employed people (15-74 years of age) were working part-time, while that proportion was 25% among disabled employed people.

Trends since 2009:

Table 1. Employment and unemployment rates of people with disabilities of working age (18 until the pensionable age), %

	Employment rate	Unemployment rate
2009	21,1	27,6
2010	19	35,6
2011	20,5	27,9
2012	22	25,9
2013	23,5	21,1

Source: Statistics Estonia

Education

Current situation:

Normally, children with educational special needs (children with physical, speech, sensory and intellectual impairments and children needing specialised help) attend an ordinary class in the school of their region of residence (pursuant to the principle of inclusive education). If the local government cannot establish the necessary conditions for that (in case of e.g. a very specific learning arrangement, resource-intensive support services), the children are referred to an educational institution intended for disabled children. There are specialised schools in Estonia, intended for children with visual, hearing and speech disabilities, movement and multiple disabilities, intellectual disabilities, emotional and behavioural disorders and children requiring special treatment due to behavioural problems – a total of 42 schools, of those 23 state schools, 13 municipal schools and 6 private schools.

Although the share of early leavers from lower secondary education is one of the main indicators for the monitoring of the gender gap in education and the accessibility of education to persons with activity limitations, the data about early school leavers according do special educational needs is not available in Estonia.

During the last ten years, great development has taken place in the field of vocational education for students with educational special needs. As learning opportunities have become more flexible and experience has been gathered with teaching occupational skills to students with educational special needs, there has been an increase in the number of students with educational special needs as well as the number of relevant educational institutions. In the academic year of 2013/2014, 885 (3,4%) out of a total of 25,699 vocational students were with educational special needs. Students with educational special needs are usually studying in practical fields requiring manual activities (construction, household, cooking; etc.).

The educational gap for people with activity limitations has not decreased. In the age group 30–34, the share of persons with higher education in the population without activity limitations (45.2%) is more than two times higher than in the population with severe limitations (19.7%). There has been an improvement in the accessibility of higher education for persons with moderate activity limitations.

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Current situation:

The income of disabled people is generally lower than the population's average income. While the 2012 data of the Statistics Estonia indicated that the population's annual equalised income was EUR 7,847.20, in case of disabled people the corresponding income was EUR 5,562.57. The average monthly disposable income per household member was EUR 353 for persons with disabilities (77% of Estonia's average). Pensions and benefits are only or major income resources for many persons with disabilities. In 2012 pensions and benefits formed 67% of total income of persons with disabilities.

In 2012, the at-risk-of-poverty rate of disabled persons (27,8%) exceeded the at-risk-of-poverty rate of the total population (18,7%) by 1.5 times, on average. There were no differences in the absolute poverty rate (6,3% for persons with disabilities and 7,3% for the total population), because the various disability allowances and pensions help the persons with disabilities to avoid severe poverty. In 2012, the at-risk-of-poverty rate before social transfers of disabled persons was 79%, which shows that transfers help about a half of the persons with disabilities to get out of relative poverty. The role of social transfers is the biggest in the case of disabled persons in retirement age.

Table. At-risk-of-poverty rate and absolute poverty rate of persons with disabilities and the total population by age group, 2009 and 2012, %

	Absolute poverty rate		At-risk-of-poverty rate	
	Total population	People with disabilities	Total population	People with disabilities
2009				
Total	6,3	5,4	15,8	21,8
0-17	10,0	...	17,3	15,9
18-64	6,7	11,9	15,6	31,0
65+	0,9	...	15,1	16,4
2012				
Total	7,3	6,3	18,7	27,8
0-17	9,5	26,4	18,1	37,3
18-64	8,1	7,8	17,3	31,4
65+	2,0	...	24,4	23,0

Source: Statistics Estonia, Social Insurance Board

Children with disabilities are the most affected by poverty (please see table above). Compared to 2009, their poverty indicators have deteriorated. In 2012, over a quarter of disabled children lived in absolute poverty and over a third of disabled children lived in relative poverty. The absolute poverty rate of children with disabilities is almost three times higher than the absolute poverty rate of all children. The at-risk-of-poverty rate of disabled children is twice as high as the at-risk-of-poverty rate of all children. Since it is often impossible to work while taking care of a disabled child, disabled children are inevitably one of the most vulnerable risk groups in the society. Quite many disabled children live with a lone parent, which further complicates the financial situation of families with a disabled child. The share of children living with a lone parent is approximately 24% among all children aged under 18 and 27% among disabled children.

In 2013, 13% of disabled persons lived in severe material deprivation, which is nearly 6 percentage points higher than the corresponding indicator for the total population. According to recent data, the severe material deprivation rate is declining among the total population,

while the same cannot be said for persons with disabilities. The main reason is related to disabled children as a growing share of them have to live in families suffering from severe deprivation.

Social services for the disabled persons are provided by the state and by local governments. Most important trends in providing services are:

- 1) The number of users of rehabilitation services grew about 20% in 2009–2013. The number of users was slightly more than 13,000 in 2013. As the number of persons with disabilities has increased during these years, the share of service users among disabled persons has remained relatively stable in this period, ranging from 2.0% to 2.5%. The majority of the users of rehabilitation services are aged under 17 – 52% of the service users were younger than 17 and 28% were older than 63 in 2013. Rehabilitation services are used by 20% of working-age persons with disabilities.
- 2) Special care services (including community living service) are used by approximately 4% of all persons with disabilities. During 2009–2013 the number of service users increased by 710 persons.
- 3) Technical appliances were granted to 64 420 persons of which 14% were under 18 years of age and majority (70%) were at pensionable age.
- 4) The number of disabled persons using home services was around 4,000 in the period 2009–2013. 4,486 persons (3%) of all disabled persons used home services in 2013.
- 5) In 2009–2013, the number of persons using the 24-hour care service for adults increased by about 24%. The service was used by 5,182 persons in 2009, but this figure rose to 6,333 in 2013 (66% of them had registered disabilities).
- 6) When in 2009 the ratio of community care service users compared to institutional care service users was 3,4 then in 2012 the ratio has constantly decreased to 2,7. The ministry of Social Affairs has set objective to decrease the share of institutional care and increase the provision of community care services by achieving the respective ratio 4,0 by 2020.

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

In 2012 Estonia has launched a major reform of incapacity for work scheme. The objectives of the reform are to increase the supply of workforce, reduce the health risks faced by employees, preserve working capacity and prevent unemployment as well as raise the competitiveness of the risk groups on labour markets. First modifications of the reform will enter into force on the 1st of January 2016.

Under this reform the assessment of work capacity, payment of benefits and provision of services are directed towards helping persons with disabilities or health damage to the labour market. The assessment of incapacity of work will be replaced by the assessment of work capacity. The individual will be given an access to rehabilitation possibilities at the earliest stages of incapacity for work appeared in order to avoid long term health damages. Otherwise, requalification/training together with activation measures will be provided.

The important cornerstone of the reform are **active labour market services** to help people with reduced working ability back to labour market. Existing labour market measures will be

made available to work capacity benefit receivers who are looking for work, for example labour market training, career counselling, work practice, coaching for working life, wage subsidy, business start-up subsidy, adaptation of premises and equipment of working place, providing special aids and equipment, communication support at interviews and working with support person.

New measures are designed to respond to the need of people with reduced work ability: temporary sheltered employment, transportation support, work-related rehabilitation, mobile counselling and experience based counselling.

Second important cornerstone of the reform is the **provision of social welfare services**. In order to guarantee the quality of rehabilitation service, it will be divided into two: vocational rehabilitation and social rehabilitation. Such division enables to offer better targeted services that result in higher effectiveness. Persons with partial capability of work will receive rehabilitation services that are linked with their (possible) employment. The maximum amount of their services will triple (up to 1500€) compared to current budget. The increase enables clients to receive services with shorter waiting list and in greater amount. Children, elderly and people incapable to work will receive services that increase their social coping.

Provision of technical appliances will be linked with the assessment of person's working capacity. The technical appliance granted by an expert with right competence (family practitioner, medical specialist, rehabilitation team) guarantees that the technical appliance corresponds to person's needs and supports person's coping. The ESF funds will be used with the purpose to eliminate the waiting list for people at working age and to improve the access to technical appliances with higher quality and functionality. The qualification requirements to service providers will be implemented.

Draft Social Welfare Act that sets minimum requirements to the local government welfare services has passed the Informal Cabinet Session in February 2015 and will be submitted to the Government for approval in the III. quarter of 2015. The minimum requirements will improve the quality of welfare services.

The reform is linked to country specific recommendation No 2 "Target activation efforts by ensuring the timely adoption and implementation of the work capacity reform".

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

There is a widespread practice in Estonia that Government authorities include stakeholders and public in the elaboration of decisions concerning them with the purpose to ensure the best possible quality and legitimacy of the decisions.

The purpose of the Good Public Engagement Code of Practice⁷² is to provide guidelines for planning and organisation of involvement of stakeholders. The wider goal of engagement is to increase transparency of decision making and trustworthiness of the public in relations with stakeholders and wider public. According to the Code of Practice, engagement in decision

⁷² The Government adopted the Good Public Engagement Code of Practice in 29 December 2011 and the document is available at the Government Office website www.riigikantselei.ee/et/kaasamise-hea-tava

making process means informing stakeholders, consulting with them, hearing out their opinions, providing feedback etc. In accordance with the Code of Practice, Ministries include stakeholders into preparation of decisions, present draft legislation, strategies and development plans to them for opinion and provide feedback to their inputs. With the purpose improve the practices of engagement of partners, a special handbook is elaborated by officials and NGOs.

It is common, that representatives of stakeholders (including Estonian Chamber of Disabled People) participate in the working groups and steering committees of development plans, drafting legislation etc. All draft legislation, strategies, development plans, concept papers etc are published in www.osale.ee website for public debate, in Government's Draft Legislation Information System www.eis.ee for opinions and also presented directly to the Estonian Chamber of Disabled People for opinions.

For example, in 2014 there were several important developments regarding the work capacity reform. The target groups were actively participating in the public debate. Due to the debate the awareness of the reform among target groups and society has increased. The debate also induced related questions regarding the rights and possibilities of people with reduced work ability and people with disabilities. For example the questions of access to education and service provision of local municipalities.

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

In addition to employment, education and social inclusion, the Estonian National Reform Programme addresses health damage (including disability) prevention and early stage treatment issues. Under the measure "Increasing healthy life expectancy through improving health related behaviour and further reducing the number of accidents and healthcare infrastructure" a number of activities are planned to reduce the number of injuries and deaths from injuries and improving health related behaviour:

- introducing the topics of health awareness, traffic safety and risk behaviour in national basic school and upper secondary school curricula
- initializing and implementation of evidence-based parenting program to prevent risk behaviour
- initializing a Task Force for prevention and reduction of injury-related deaths and carrying out its action plan
- supporting employers in preservation or creation of jobs for people with loss of working capacity or disability
- under the occupational accident insurance scheme, elaboration of interinstitutional cooperation and necessary development and testing of data exchange
- additional training or retraining in order to support people who may lose their jobs due deteriorating health.

In order to treat health damages and thus avoiding aggravation of the health damages and (possible) disability, the increase in the volume of regular health checks and various health monitoring and screening programmes is foreseen.

5. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

European Social Fund supports the implementation of work ability reform in Estonia (please see description of the reform in question 2).

In addition, the European Social Fund supports the implementation of social services that support working. Improving the quality and accessibility of social services aims to decrease the care burden of caregivers and to improve the independent coping and possible entrance to the labour market of people with special needs/disabilities.

For that purpose a number of social services – home services, care services (including interval and day care), social transportation, personal assistant service, support person service and rehabilitation services will be offered.

With the purpose to find innovative solutions and optimizing the use of time and financial resources, new social services (for example video and audio care service, alarm button service) will be piloted.

Clients with coping difficulties will be provided with social counselling services, including psychological counselling, family counselling, debt counselling, support person service, specialised social worker's (for example hospital social worker) counselling and specific expert counselling (for example legal counselling, clinical psychologists' counselling, psychiatric aid and social pedagogic counselling).

Several activities (for example trainings, supervision etc for social workers) have been planned to improve the quality of social services and social sector workers competences.

Altogether, at least 10100 persons with disabilities, elderly and their family members with care burden will be provided with social welfare services that support their working possibilities (including retaining their job, starting to work) or entrance into the labour market services. The measures planned to finance from ESF will increase the availability and quality of social welfare services and encourage more service providers to enter the market.

With the support of European Regional Fund 2000 dwellings of people with disabilities will be adapted according to their individual needs. The adaptation aims to improve the inclusion of people with disabilities into society and thus improve their independent living and everyday coping, and supports their caregivers to enter or stay in the labour market.

Greece

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

The manpower employment organisation implements programs to subsidize businesses that hire people belonging at vulnerable social groups, including persons with disabilities. The purpose of these programs is the establishment of new jobs by subsidizing labor costs for beneficiaries for a specified period. The ministerial decisions also provide period in which companies are obliged to employ such employees and through these programs seek work experience with a view to maintain employment. With other programs funded a part of the business entry cost for less privileged social groups, including persons with disabilities who wish to start a profession(New Freelance programs).Also, it implements business grant programs for ergonomic arrangement of the workplace in order to be accessible to people with disabilities .

Since 2011 has been established by regulations of a Law a new form of social cooperative enterprises. The Social Cooperative Enterprises , depending on the purpose they perform, are involving the integration in economic and social life of persons belonging to vulnerable groups of population and employ mandatory 40% minimum, employees belonging to these groups, including people with disabilities.

Education

The Ministry of Education takes actions under the policy of an educational system based on principle “A School for All”. Especially in the field of Special Education and Training, efforts made based on the approach of educational issues in terms of human rights. Through the implementation of the Operational Program for Education and Lifelong Learning, emphasizes is given in enhancing access and participation for all in education system focus mainly on people with disabilities. The specialized educational support program for inclusion of students with disabilities and / or special educational needs is in active which aims to address the problems observed at the inclusion of children with disabilities and / or special educational needs at schooling environment, improving the systematic organization of students with disabilities and / or special educational needs and to prepare and plan a program for training all teachers in mainstream schools to special education issues.

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

The development of supported living houses (SYD) is part of welfare and social care policy in a particular group of people with disabilities, mainly with mental disabilities which aims to develop an alternative accommodation in the community for people avoiding institutionalization and social exclusion due to the lack or weakness of their family. Also, it helps to increase participation in everyday activities in the community, as much as possible improving the autonomy and social integration. Simultaneously owned and operated private legal entities that provide care services to people with disabilities by implementing the cooperation between the public and private sectors to ensure provision of quality social care services.

The policies are designed and implemented primarily aimed at combating social exclusion for vulnerable social groups and improving their integration in society. The interventions and measures decided, have to do with accessibility to the built environment, infrastructure and information, with improvements to the employment status for disabled people, the social security system, the participation in cultural - leisure life etc. ensuring as well the community based living for disabled people.

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

The Ministry of Labour, Social Security and Welfare implements a series of interventions and activities aimed at halting unemployment, to maintain existing jobs, create new jobs, integration of young people and vulnerable social groups in the labor market and support sectors particularly affected by the impact of the economic crisis. Note that, to active employment policies implemented through the Ministry of Labour, are eligible all persons have the status of unemployed.

Active employment policies currently implemented and targeted to people with disabilities indicative divided into: a) grant programs for job creation b) grant programs of insurance contributions for the creation of jobs c) aid programs entrepreneurship d) programs combining training and work experience in business through the input check in the labor market e) community service programs.

Education of children with disabilities take place a) in the general school, b)in the general school with support from special education teachers, c)in a special organised and appropriately staffed integration classes that work under the rules of general and professional education, d) Schools for Special Education, depending on the type of disability and the students' educational needs. Emphasize at lifelong learning for disabled and vulnerable social groups.

Persons with disabilities who are insured in social security institutions, provided by the National Health Services Organisation (E.O.P.Y.Y.), under the unified benefit health regulation (E.K.P.Y.), medical, pharmaceutical and hospital care both at hospitals and Rehabilitation Centers, as well as any kind intentions and auxiliary therapeutic agents, in order to restore health or relieve the already diseased state.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

The National Confederation of Disabled People, as the most representative disability organization, participates in decision-making and representing people with disabilities in the dialogue with the Greek State. It exercises systematic control of legislation and regulations and submits proposals to the Greek State on issues such as: education, vocational training, employment, information society, universal access. The Confederation promotes the rights of people with disabilities participating, inter alia, to the Monitoring Committee of E.U.

financing programmes, the Monitoring Committees of Sectoral and Operational Programmes and Regional Operational Programmes, the Department of Special Education of the Pedagogical Institute, the National Council of Social Care, the National Administrative Reform Council, the Board of the National Transplant Organization, in Boards Rehabilitation Centers, Institutions, Ministries Committees and Project Management Teams related with disability.

The Panhellenic Federation of parents and guardians associations for people with disabilities contributes to ensure all the rights of children with disabilities and to create the conditions for the autonomous and independent living of children with disabilities and their social inclusion. It participates at Ministerial committees and Project Management teams running issues related with disability and advice the state structures for all matters of concern at both, practical and institutional, legislative and regulatory level.

Also, the parent movement (NGO's), play a key role on the implementation of policies regarding the social inclusion of disabled people by developing and provide social care and housing services to people with disabilities as well as to develop, management and implement European and national welfare programs.

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

The main aim is to guarantee the full participation of people with disabilities in society and one of the main pylons is that of independents/community living. It is important to emphasize on policies allowing people with disabilities living independently as they can and enforcing their right to decide on their own on where and how to live. It is a need to run faster the deinstitutionalisation process and move people with disabilities to live in smaller units either with their family members or on their own. In some cases, care in small supporting units, might be necessary and this could be an alternative to institutions. Also, is important the provision of high quality community based support services (access to transport, infrastructures, quality of surrounding supporting services, etc) to allow people with disabilities living equally and can participate in the community with equal rights and opportunities, focuses on individualised care, choice, and access to services. Besides, must enforce and support the idea and the role of the personal assistance and in what areas of disabled people's life this offered, i.e., for which activities (daily living, housekeeping, financial activities, advocacy, recreation, employment, education).

5. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

In the field of promoting social inclusion and fighting poverty, the proposed interventions aimed at preventing and combating social exclusion of vulnerable groups and particular emphasis will be given to the design of a comprehensive strategy for reducing poverty and supporting the social protection and social welfare system, in order to fight discrimination. So, it is necessary to direct aid coordination initiatives, monitoring and evaluation of all social inclusion policies, social protection and social cohesion and the necessary actions for an effective implementation, including participation of stakeholders (social partners, civil society organizations). In the new programming period 2014-2020,

particularly stressed the development of local charitable projects in the areas of health, welfare, and social services with the activation of local stakeholders, targeting the most vulnerable social groups including people with disabilities. As very important counted and interventions for the development of a sustainable social economy and social entrepreneurship to increase employment opportunities for people coming from vulnerable groups at local, regional and national level. Main objectives and challenges are issues such as the law framework, financing access, awareness raising to the community and the networking. A number of actions regarding the above aims will be carried out mainly by the NGOs and their role is counted as crucial on the implementation of this programming.

Spain

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Current situation: In 2012 the activity rate of persons with disabilities was forty points less than the ones for persons without disabilities and the unemployment rate was 8.1 points higher. However the employment of persons with disabilities is improving in 2014, the number of contracts increased sensitively from 2013 (19.98%) and the impact was higher in the Sheltered Employment Centres (22.2.%).

Trends since 2009: Main labour market rates evolution for persons with disabilities:

EMPLOYMENT

Variable		Unit	2008	2009	2010	2011	2012
Activity Rate pwd	Men	%	38,4	41	40,4	39,6	39,2
	Women	%	27,2	30,4	31	33	33,5
Employment Rate pwd	Men	%	32,8	32,1	31,4	29,1	26,2
	Women	%	21,9	23,7	23,3	23,9	22,5
Unemployment Rate pwd	Men	%	14,5	21,6	22,2	26,5	33,3
	Women	%	19,4	22,1	24,8	27,6	32,9

Source: Employment of persons with disabilities (INE)

Link:

http://www.ine.es/dyngs/INEbase/en/operacion.htm?c=Estadistica_C&cid=1254736055502&menu=resultados&secc=1254736057624&idp=1254735976595

Education

Current situation:

According to statistical data available from Ministry of Education, Culture and Sports during course 2011-2012 149,618 students of non-university education level received support linked to special educational needs, the 78.5% of them were integrated in ordinary educational centres. Regarding to university education level during the course 2013-2014 there were 22,000 students with disability in Spanish universities (data from the study of Universia Foundation)

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Current situation:

The available data about social inclusion, standard of living and poverty risk not always shows the specific situation for persons with disabilities. In the Red Cross report about Social vulnerability 2011-2012 (data mentioned in the Spanish Disability Strategy Action Plan), the 55.5% of persons with disabilities have a moderate general index of vulnerability, the 13% a high level, the 21.7% a very high level and 9.5% are in social exclusion situation.

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

(Information from the National Program Reform 2014 and specific recommendations documents for Spain).

Employment

Access to labour market used to be more difficult for persons with disabilities than for the rest of population. The **Action Plan of the Spanish Disability Strategy 2014-2020** (CSR 6.4) pursue to promote access to employment for people with disabilities through the development of individual and personalized itineraries, and reports on capabilities Also the **Law 1/2013, of 29 November of rights of people with disabilities and their social inclusion** (CSR 6.5), which consolidates previous legislation, drive measures to promote personal autonomy, employment access and inclusion in society.

The measures contained in the Action Plan will be complemented by the reinforcement of the reserve of 2% of the jobs to people with disabilities, establishing their compliance as a prerequisite for the public procurement and for accessing to public subsidies (AGS 4.2.10), the promotion of the role played by sheltered employment centres that employ people with disabilities, establishing a reservation in the procurement for those centres (AGS 4.2.11) and the reform of the system of compatibility of the non-contributory pension for disability with work (AGS 4.2.12).

Council Recommendation 4 for Spain in 2014 suggests to *implement the **2013-2016 Youth Entrepreneurship and Employment Strategy** and to evaluate its effectiveness*. This strategy includes measures that impact people with disabilities. *Provide good quality offers of employment, apprenticeships and traineeships for young people and improve the outreach to non-registered unemployed young people, in line with the objectives of a youth guarantee. Effectively implement the new educational schemes to increase the quality of primary and secondary education. Enhance guidance and support for groups at risk of early school leaving. Increase the labour-market relevance of vocational education and training and of higher education, in particular by enhancing the cooperation with employers and supporting the training of trainers and tutors.*

Education

The **Educational Reform** puts special emphasis on support to persons with disabilities by incorporating the provision of methodological alternatives for students with disabilities (CSR 6.6).

Social Inclusion

Modification of profiles of poverty and social exclusion observed in recent years is closely related to the complicated economic context recently lived. More effective to combat poverty and social exclusion is the creation of employment and employability and it is the priority for the Government in 2014, through measures to encourage the development and constant adaptation of human capital (AGS 3.3) and those in the field of the labour market and of

active policies of employment (AGS 4.1) (see also the initiatives mentioned above in Employment)

Council Recommendation 5 for Spain in 2014⁷³ makes reference to *implement the **2013-2016 National Action Plan on Social Inclusion** and assess its effectiveness covering the full range of its objectives. Strengthen administrative capacity and coordination between employment and social services in order to provide integrated pathways to support those at risk, and boost, among the Public Administrations responsible for the minimum income schemes, streamlined procedures to support transitions between minimum income schemes and the labour market. Improve the targeting of family support schemes and quality services favouring low income households with children, to ensure the progressivity and effectiveness of social transfers.*

The **2013-2016 National Action Plan on Social Inclusion** (CSR 6.2) constitute the integrator tool of all policies in the fight against poverty and social exclusion in Spain. Therefore, in 2014 we will continue with the implementation of the measures contained in this global strategy, to respond to social needs, improving the efficiency of the system of protection and targeting the most disadvantaged, including persons with disabilities.

For this reason, throughout 2014 will be presented the Draft Law of the Third Sector of Social Action (AGS 4.2.5), aimed to strengthen the role played by the Social Action Third Sector (where most representative organizations of persons with disabilities are included) and ensure a solid legal framework to exercise their activity and the reform of the law 6/1996 of 15 January, volunteering (AGS 4.2.6), which will provide a volunteer status and encourage the commitment of Administrations.

The actions of the Government in the field of social inclusion are supplemented by funding from EU structural funds as explained below.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

Yes, Spain traditionally has involved civil society and organizations of person with disabilities in the development, implementation and monitoring of these policies through multiple instruments. The main formal instrument is the Disability National Council that was created before the CDPD was signed and afterwards was designed as its Coordination Mechanism (art. 33.2 CDPD, see explanation included in chapter 2) but they are also invited to take part in diverse ministerial working groups and their contributions are requested when legislation modifications are being analyzed. Their contribution are also requested and taken into account in the National Reform Program (see Spain National Reform Program 2014)

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

In addition to employment, education and social inclusion the following areas should include disability dimension:

⁷³ http://ec.europa.eu/europe2020/making-it-happen/country-specific-recommendations/index_en.htm

- a. R&D, innovation and social entrepreneurship.
 Disability dimension can contribute to the development of a new economy of disability, identifying market opportunities not covered and encouraging the collaboration between public and private partners.
 Innovation and social entrepreneurship, in line with Europe 2020 strategy should serve to advance towards a more inclusive economy, supporting initiatives that contribute to the social inclusion of persons with disabilities.
 Similarly, in urban areas, the development of the "smart cities" must be done according to criteria of "design for all" and universal accessibility.
- b. Sustainable, accessible and inclusive transport and urban planning.
 Beyond the measures designed with sustainability criteria to change urban environments it should be developed measures to assure accessible services and environments for persons with disabilities
- c. Governance, in order to ensure the mainstreaming of the horizontal objective of accessibility, encouraging the participation of the entities of the disability movement in the design and development of all these measures.
 In particular, to promote the participation of the most representative organizations of persons with disabilities in the monitoring committees of the operational programmes of the new framework of the programming of the EU funds 2014-2020.

5. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

Different measures included in the National Reform Program 2014, some of them mentioned above, would be co-financed with EU funds for the Spanish new programming period 2014-2020.

There is a specific **Thematic Objective (n° 9): Promotion of Social Inclusion, fight against poverty and any kind of discrimination (1,669 million Euros from ESF and 363,8 million Euros from ERDF)**. These funds will be allocated to actions aimed to increase participation in the labour market and to improve the levels of inclusion of the vulnerable population, through the called *active inclusion*, i.e., through employment.

The funds will also ensure a system of benefits that would allow financial support to those people in situation of vulnerability, to reduce child poverty and to provide basic services to the population, with specific programmes for the most vulnerable groups (where people with disabilities are included). There would also be included actions to reinforce administrative and territorial cooperation, in partnership with entities of the Third Sector (social sector where organizations of persons with disabilities are present), and will also finance and encourage the social economy and social enterprises.

Measures are also included for fostering social innovation to search new answers to the needs of vulnerable groups, and for the application of technological advances and communication in supporting people in a situation of exclusion. Finally, also actions to improve social and health infrastructures will be promoted.

Other important thematic objective is **Thematic Objective (n° 8): Promotion of sustainability and quality employment and facilitation of labour mobility (3,901 million Euros from ESF)** that would support actions in the field of labour market. They are linked to several operational programmes, two national programs (OP Youth employment and OP for employment, training and education) and several regional programmes.

But there are also included measures in **Thematic Objective (n° 10): Invest in education, training and vocational training for the acquisition of skills and lifelong learning** to mainstream people with disabilities in training environments.

Spain has involved the NGOs working on disability in the spending planning from the beginning through their contributions to the public consultation for the “EU funds new programming period 2014-2020”, with their proposals for NRP2014 (most of them were taken into account and included) and their participation in different meetings and working groups. Main organizations of persons with disabilities are also part of Social Inclusion Net⁷⁴ created in 2010 and which objectives are:

- a. To promote ways of cooperation between public administrations and institutions of social action for social inclusion issues (especially the active inclusion, fundamental aspect of the inclusion in the labour market).
- b. To analyze and asses the impact of ESF in improving social inclusion.
- c. Exchange of good practices.

The net organizes specific working groups and contribute to make reports and assessments of operational programs, for example ONCE foundation participated with the elaboration of the following two:

- *Impact assessment of the multiregional operational programme of anti-discrimination*
- *Evaluation of the added value of the ESF operational programs managed by ONCE Foundation*

The DG Disability Support Policies is also part of this net within many others national and regional representatives of the Spanish Administration.

Currently the Net has organized a meeting to explain the new programming period of EU funds and establishing working priorities for coming years.

⁷⁴ <http://www.redinclusion-social.es>

Croatia

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

In Croatia, employment of persons with disabilities is under the Ministry of Labor and Pension System. In order to improve the legal framework and the implementation of measures in the field of vocational rehabilitation and employment of persons with disabilities, a new Law on Vocational Rehabilitation and Employment of Persons with Disabilities entered into force on January 1, 2014.

The new Law on Vocational Rehabilitation and Employment of Persons with Disabilities provides employment quota obligation and with the aim of monitoring of employment quota obligation. Croatian Institute for Pension Insurance and Ministry of Finance, according to a special regulation on the protection of personal data, will provide data to the Department of expertise, professional rehabilitation and employment of persons with disabilities.

At Croatian Employment Service, the procedure for exercising the right to vocational rehabilitation of unemployed persons with disabilities was developed and the new Law on Vocational Rehabilitation provides referral currently unemployed persons with disabilities registered at Croatian Employment Service into programs of work and social inclusion.

In 2013, the highest number of employed persons with disabilities were people with intellectual disabilities (631 or 36,18 %), followed by those with physical disabilities (422 or 24.2%) and people with multiple disabilities (275 or 15.77%).

With the aim to increase employment of persons with disabilities, during the 2013 year, 1 076 persons with disabilities are included in some of the active employment policy measures while in 2012 a total of 779 persons with disabilities were included in these measures which indicates an increase of 27.6%.

Fund for Vocational Rehabilitation and Employment of Persons with disabilities performed additional amendments to the Decision on the incentives for the employment of people with disabilities.

Ministry of Labor and Pension System and the Fund for professional rehabilitation and employment of persons with disabilities report that by new Law on professional rehabilitation and employment of persons with disabilities, the establishment of regional centers for vocational rehabilitation has been provided which will start with work at January 1, 2015.

MORE INFO:

(*http://www.fond.hr/index.php?option=com_k2&view=item&id=205:novi-zakon-o-profesionalnoj-rehabilitaciji-i-zapo%C5%A1ljava-nju-osoba-s-invaliditetom&Itemid=220

** <http://www.fond.hr/>)

Education

Education of children and persons with disabilities is under the Ministry of Science, Education and Sports. In 2013, Draft Rules on primary and secondary education of students with disabilities was made. It is made and based on the principles of inclusive education and to the education of students with disabilities according to their abilities, interests and needs, primarily in the regular education system, with appropriate support measures at different extent.

In 2013 year, the Ministry of Science, Education and Sports approved a total of 455 teaching assistants who provide support to 728 students with disabilities. 10 assistants were engaged in teaching for students with hearing impairments.

Until now, from a total of 2,119 primary school facilities, 7% are fully customized (entrance, elevator, bathroom, hall) and 26% are partially adapted. Custom entrance to the school building has a 40% primary object of which 22% have a ramp.

According to the Draft Rules on primary and secondary education of students with disabilities, professional team as a mobile multidisciplinary service support at regular educational establishments/schools working with students with disabilities is defined. This Professional team works in special centers for education and offers counseling to the schools in different parts of Croatia, according to their expressed needs.

For the first time, by the Ministry of Science, Education and Sports in 2013, a public call that awarded grant funds to organizations that provide services and encourage inclusion of students with disabilities in the educational process was announced.

During 2013, for 168 pupils who due to higher mobility problems or chronic illness could not attend school, classes/schools at home have been approved. In the regular school system 5 370 children are integrated and 602 children are in special classrooms.

There were 298 students with disabilities at colleges and universities in the academic year 2012/2013., which is an increase compared to the academic year 2011 / 2012th when there were 289 registered students with disabilities.

MORE INFO:

(* <http://public.mzos.hr/Default.aspx?sec=2194>)

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

During 2013 year, transformation and deinstitutionalization process of home for persons with disabilities was significant intensified. The project of “Deinstitutionalization and transformation of rehabilitation Centre Stancic and rehabilitation Centre Zagreb” as two the largest institution for people with intellectual disabilities has been started in cooperation with Croatian Association for promotion of inclusion and Open Society Mental Health Initiative.

For the least two years, very significant progress in terms of implementation of active policy of deinstitutionalization of people with disabilities has been made as a fundamental prerequisite for their social inclusion and active involvement in the community.

Since 1997, when the process of deinstitutionalization started, until January 1, 2012, (in a period of 15 years) 308 people with disabilities were moved from institution and included in program of organized housing in the community with the support. In the last 2,5 year, 338 people with disabilities moved from institution in the community which showed an significant progress.

Furthermore, with the aim of intensifying deinstitutionalization and transformation process and facilitating the exercise of rights to live in the community of persons with disabilities, Ministry of Social Policy and Youth adopted “Operational plan of deinstitutionalization and transformation process of Social welfare homes and other legal entities that provide social care in the Republic of Croatia 2014. - 2016.” (adopted in June, 2014.).

Except deinstitutionalization and transformation process, within previously mentioned plan, special emphasis is made on the development of different community-based services as an important factor in the prevention of further institutionalization. Within the Operational Plan, one of the most significant measure is establishing National team for deinstitutionalization process, expansion of the network of community-based services that contribute to the deinstitutionalization and transformation process and alignment of planning activities and financial resources from the state budget and EU funds with the priorities of deinstitutionalization and transformation process and social welfare system reform.

MORE INFO:

(*“Operational plan of deinstitutionalization and transformation process of Social welfare homes and other legal entities that provide social care in the Republic of Croatia 2014. - 2016.” will be available on official web site in a few days

** more information about transformation and deinstitutionalization process you can find on http://www.mspm.hr/djelokrug_aktivnosti/proces_transformacije_i_deinstitucionalizacije
<http://www.mspm.hr/>)

Italy

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Recruitments:

2009 – 20.830

2010 – 21.002

2011 – 19.457

2012 – 19.114

2013 – 18.295

From the VII Report to the Parliament about the state of art of the implementation of law 68/99.

Work and employment

As to employment and work protection for persons with disabilities, the most relevant legislative measure is represented by law 68/99, focusing on job placement and work integration of persons with disabilities, ensuring the respect of their abilities and attitudes, in compliance with the objectives of article 27 of the UNCRPD.

L. 68/99 introduced the so called “aimed placement” or persons with disabilities in order to properly evaluate their job capacity and guide them to the suitable job, through the analysis of jobs, support systems, positive actions and solutions to any problem connected to interpersonal relations on the workplace.

Law obliges both public and private employers with at least 15 workers to hire disabled workers in accordance with reserve quota (art. 3). This is basically the notion of mandatory hiring. Mandatory hiring, limited to new workers and valid for technical/executive staff only, concerns also political parties, trade unions and no profit associations operating in the field of social solidarity, assistance and rehabilitation. For police services, civil protection and national defence, the placement of persons with disabilities only concerns administrative services.

Article 17 of law 68/99 plays a particularly important role, since it requires public and private companies participating in a public call or having concession/convention agreements with public administrations, to present the declaration of the legal representative attesting the compliance with norms regulating the access to employment for persons with disabilities, under penalty of their exclusion.

The assessment of the implementation of law 68/1999 corresponds to the obligation, stated in article 31 of the Convention, to collect data and statistics concerning disability, in order to elaborate specific policies to satisfy the needs of persons with disabilities. The most recent data about the job placement of persons with disabilities concern the years 2012-2013 in the VII Report to the Parliament about the state of art of the implementation of law 68/99.

Education Current situation from Ministry of Education, University and Scientific Research (MIUR, Ministero dell'Istruzione, dell'Università e della Ricerca):

A.S. 2014/15 pupils with disability total n. 210.909, of which:

Pre-primary education: 14.540

Primary education: 77.879

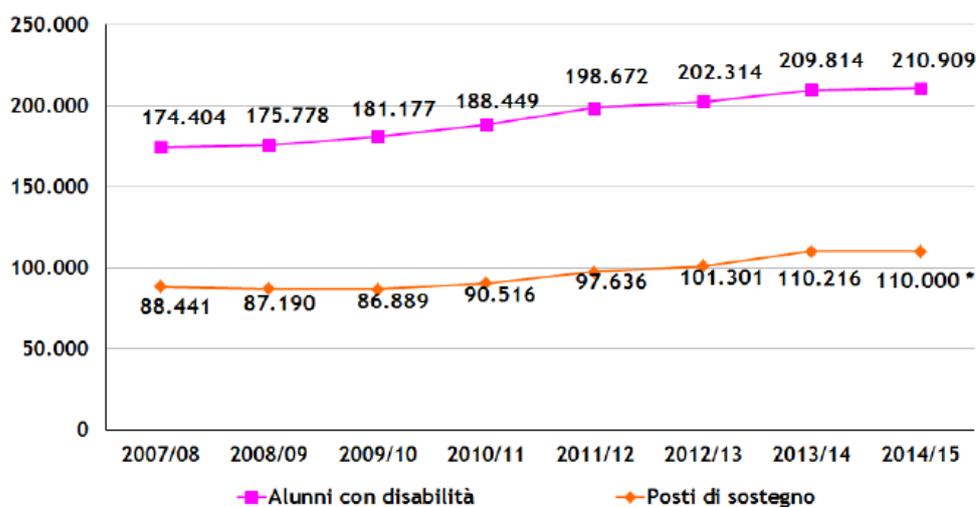
Lower secondary education: 63.280

Secondary education: 55.210

Support teachers: total n. 110.000.

Trends since 2009:⁷⁵

Graf. 5 - Serie storica degli alunni con disabilità e dei posti di sostegno_AA.SS. 2007/2008 – 2014/2015



* dato previsionale (cfr. nota Tab. 9)

Inclusive education is the sector where national legislation and policies have been mostly focusing its efforts. Italy is, so far, the only European country which has reached 99,6% inclusion of students with disabilities in mainstream education. Almost all segregated educational institutions have been abolished and all nurseries, schools and universities are required to accept any child or student regardless of their disability, including the most severe impairments. This goal has been reached thanks to the support provided to enhance the learning process of students with disabilities given by educators, trainers, teachers, etc.⁷⁶

Social Inclusion, standard of living and poverty risk, community living and the availability of community-based services:

Current situation: Independent life and inclusion in the society

As far as independent life and social inclusion are concerned, the Italian Law is quite advanced and covers a relevant part of the obligations set out in article 19 of the UNCRPD. Italian Law 104/92 establishes - among its priorities - the guarantee of the full respect for human dignity, freedom and autonomy, while removing all invalidating conditions that stop

⁷⁵ Source MIUR: http://www.istruzione.it/allegati/2014/Avvio_Anno_Scolastico2014_2015_3.pdf [accessed 14 January 2015].

⁷⁶ International study on the implementation of the UN convention on the rights of persons with disabilities, 'Zero Project Report 2013', available at http://zeroproject.org/wp-content/uploads/2013/12/Zero-Report_e-2013.pdf [accessed 14 January 2015].

the full development of the human being and the highest level of autonomy, while carrying out actions to overcome marginalization and social exclusion. In particular, article 10 sets out the instruments for the inclusion and the integration of people with disability in the development of home care services, from a sanitary, domestic and economic perspective, in the organization and the support to assisted living facilities, residential homes and health care facilities included in residential centres in the aim of encouraging the deinstitutionalization, through specific actions aimed at adjusting the equipment and the staff of educational, sport, leisure and social services to the needs of persons with disability. Article 9 of the same Law draws specifically on the “personal assistance service” addressed to the citizens who are experiencing a circumstance of severe limitation of personal autonomy, in order to facilitate autonomy and integration opportunities.

Law 162/98 integrates Law 104/92 and attributes to local institutions the realization of assistance programmes, through customized actions in order to guarantee the right to an independent life to persons with disabilities and forms of personal assistance and home assistance also on a 24hour-basis to people with severe disability.

Law 328/00 has implemented and confirmed, through article 20, the National Fund of Social Policies created for the first time with law 449/97, in order to promote actions for the realization of essential and homogeneous standards for social services all over the national territory, addressing integration and autonomy of persons with disabilities. The aforementioned law dedicates article 14 to “individual projects for disabled people”, that define the needs and the services needed for a full social integration of persons with disabilities and their rights, while referring to care and rehabilitation, as well as to personal care and economic measures aimed at fighting against poverty, marginalization and social exclusion. Among the essential levels of the services provided, article 22 indicates the economic measures to encourage autonomy and the presence at home of totally dependent people or people unable to carry out daily tasks; the creation of social-rehabilitation centres for these persons and assisted living facilities, of community services and aid services for people who do not have adequate support from families, as well as temporary replacement of families during their absence; actions aimed at the elderly and the disabled to encourage their presence at home, their inclusion in family-like community organizations, residential and semi-residential centres for those who cannot be assisted at home, and in case family resources are not enough to respond to the integration needs of people with disability.

Decree 14/2/01, “Guidelines and coordination of socio-sanitary services” article 2, establishes that socio-sanitary assistance is reserved to those people who have “health needs” and require health care or social services, on the basis of personalized projects drafted on multidimensional evaluations. This evaluation shall consider the following: psychophysical functions; the nature of the activity of the person and his/her limits; the modes of participation to social life; environmental and family context factors. Regions are assigned the task of regulating criteria and modes to define personalized assistance projects.

In 2001, following the amendment of the Italian Constitution through the Reform of Title V, concerning the functions and the competences of Regions, Provinces and municipalities, the system of competences of different governmental levels has been redefined. Article 117 indicates, among the competences assigned to the State, the determination of the essential levels of services concerning civil and social rights to be guaranteed on the whole Italian territory. This article has attributed a constitutional relevance to the essential levels defined in law 328/00 already (article 22). It is up to the Regions to set out plans and objectives

concerning disability policies and municipalities are called to decide about social and auxiliary services. Although essential levels are still not defined on a national level, active co-operation with regions is in place.

Various regions have created funding mechanisms for initiatives aimed at encouraging independent life and social inclusion for persons with disabilities. Nevertheless, regional norms for their implementation are often influenced by financial availability and may present discrimination aspects when they are aimed at physical or sensorial disability, while excluding psychic or intellectual disability.

At a national level, the measure of direct responsibility of the State is represented by the benefits set out by law 18/80. These benefits are not subject to a certain income limit and are assigned to persons with 100% inability, who need assistance to move and/or carry out daily tasks.

Considering the amount of funds available, this is the main measure aimed at persons with disabilities in Italy (non-autonomous elderly people and people with disability). Until 31/12/11, registered disability services provided by INPS account for 2.733.970 Euro (69% of which are allowances). The expenditure for carers' allowance was of 12,9 billion Euro (*Source: INPS 2011 report*).

With a special regard to independent living, the Italian Ministry of Labour and Social Policies put in 2013-2014 13.8 million euros on experimental projects carried out by local network of municipalities (*ambiti territoriali*). In the first National Action Plan on disability – adopted on December, 2013 – an action line is dedicated to interventions and policies on independent living, with the aim to implement art. 19 of the UNCRPD. On this basis, the Ministry, in synergy with the regions and autonomous provinces, launched in 2012 a co-ordinating project with the Puglia Region as leader and then, in 2013 and 2013 two programs to carry out new, experimental project on the local level in the framework of the Italian Action Plan and the UN CRPD. The planning of activities is customized and is determined by the evaluation of the system of multi-dimensional services, with the direct involvement of the disabled person and his family. The final aim is to set out a national, shared model of intervention for independent living for person with disabilities.

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

Recently, law 92/12 “Regulations concerning employment in a growth perspective” included actions aimed to effectively strengthen the right to work for persons with disabilities. The calculation of the reserve quota is redefined; for the determination of the number of people with disabilities to hire, the calculation considers as employees all subordinate workers, with specific exceptions. This law also sets out new criteria and modalities for the communication - by the employer - of unfilled obligations, and the use of exemptions, in order to activate controls and verifications. Concerning exemptions from law obligations, the law redefines procedures, criteria and modalities of concession, along with specific norms aimed at enhancing control activities.

It should be noted that the decree 76/2013 stated that in order to ensure compliance with the principle of equal treatment of persons with disabilities, public and private employers are required to take reasonable accommodation in the workplace, as defined by the United Nations Convention on the Rights of Persons with Disabilities, ratified under the Law 18/2009 to ensure to persons with disabilities the full equality with other workers. The public employers must ensure the implementation with no new or increased charges for public finance and through human, financial and instrumental resources available to current legislation. ". Moreover, Decree 216/2013 refers to the definition of "reasonable accommodation" in the UN Convention on the Rights of Persons with Disabilities: art. 2 provides that changes and adjustments necessary and appropriate shall not impose a disproportionate or undue burden, where it is needed in a particular case, to ensure to persons with disabilities the fruition and exercise, on an equal basis with others, of all human rights and fundamental freedoms.

On behalf of the MLPS, *Italia Lavoro*, the National agency for employment active policies, has created a programme to spread ICF in the work integration for persons with disabilities; since 2004, the programme has involved more than 11 Regions.

From the year 2015 on the allocation of the Fund for non self-sufficient persons is increased by EUR 250 million as established by law. Moreover, allocation will be increased to 400 million euro for 2015 and that will be strengthened commitment on policies for disability with the establishment of a interministerial table to give substance and actions to the Fund.

As for education, the forthcoming legislation for a better school intends to give a response to two of the main issues raised by the Committee on the Rights of the Child on the report submitted by Italy under Article 44 of the Convention, which are about:

- a limited information on children with disabilities;
- that disability is still considered from a medical point of view and the process of ensuring; the social inclusion of those children remains difficult especially due to regional disparities in the provision of specialist teachers in schools⁷⁷.

Moreover MIUR has conducted an experimentation of the OMS ICF-CY model for didactical purposes. On basis of the results of this experimentation, MIUR will introduce the ICF model in all schools and for every special educational need⁷⁸.

For what concerns the educational system in general, the Council of the European Union has recommended Italy to implement, for instance, the National System for Evaluation of Schools to improve school outcomes in turn and reduce rates of early school leaving⁷⁹. On November 27th 2014 MIUR has launched a format to help schools in their self-evaluation, which will led, on summer 2015, to the first schools' self-evaluation report.

⁷⁷ UN Committee on the Rights of the Child (CRC), *Consideration of reports submitted by States parties under article 44 of the Convention: Concluding observations - Italy*, 31 October 2011, CRC/C/ITA/CO/3-4, available at: <http://www.refworld.org/docid/4ef1e6d12.html> [accessed 14 January 2015].

⁷⁸ <http://hubmiur.pubblica.istruzione.it/web/istruzione/dettaglio-news/-/dettaglioNews/viewDettaglio/14284/11210> [accessed 14 January 2015].

⁷⁹ COUNCIL RECOMMENDATION of 8 July 2014 on the National Reform Programme 2014 of Italy and delivering a Council opinion on the Stability Programme of Italy, 2014, available at http://ec.europa.eu/europe2020/pdf/csr2014/csr2014_council_italy_en.pdf [accessed 14 January 2015].

Some of the indicators are on inclusion. The format is meant to help schools improve their outcomes and reduce rates of early school leaving⁸⁰.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

Until the ratification of the UN Convention, Italy lacked an institutional body for the permanent consultation of persons with disabilities. However, thanks to the National Observatory for monitoring the condition of people with disabilities, established by the national law for the ratification of UN Convention (Law 18/2009), mainstreaming strategy on disability issues are thoroughly discussed there. It has to be underlined that within the Observatory 16 members out of 40 are representatives of organisations and federations of people with disabilities or representing the NGOs sector.

However, the national organisations and federations representing people with disabilities have been traditionally involved in the decision-making processes on disability issues, at national, regional and local level. In 1992 the law n. 104/1992 introduced a National Conference on the policies for disability with the active participation of people with disabilities and their representative organisations. Organised every three years, the last Conference was held in Bologna in July 2013. The law provides a Communication to the Parliament on the conclusions of the National Conference.

In March of 2013 the National Observatory on the Status of Persons with Disabilities has approved the first 2014-2015 Action Plan on disability. The program is divided into 7 seven lines of action that cover, with mainstreaming approach, the most important aspects related to the building of full inclusion in the social life of people with disabilities. Moreover, for each intervention, the program identifies the target and foreshadowed the type of action required to achieve it. It is, without doubt, a fundamental contribution to the definition of an overall strategic action by Italy on the issue of disability, in accordance with the new framework conventional UN and fully consistent with the European Disability Strategy 2010-2020, in order to promote the progressive and full inclusion of persons with disabilities in all spheres of social, economic and cultural.

With regard to labor issues, education and social inclusion program:

Action Line 2 - Labor and Employment

The work is an essential element of social inclusion. Italian law by Law 68/99 introduced the methodology of targeted employment that fits the right person at the workplace appropriate, supporting it with adequate incentives and facilities. To proceed in the path taken the program wants to encourage the mainstreaming of disability within the general policies for the work and data collection, update existing legislation and make it more effective in offering job opportunities, in particular through a better functioning of the targeted employment by providing new skills that allow to follow workers with disabilities throughout the career path and not neglecting to address the issue related to women with disabilities living conditions of multi-discrimination.

⁸⁰ http://www.istruzione.it/sistema_valutazione/[accessed 14 January 2015].

Action Line 3 - Policies, services and organizational models for independent living and inclusion in society

The program asks you to define common lines which set the guidelines for the granting of contributions for the planning of interventions and services and the preparation of individual projects. In the promotion of independent living, understood as the authority to perform independently their own choices and run their own existence, are central individualized projects that require the direct involvement of the person, with proper attention in case this is not capable of self-determination. It should be favored, of course, the general process of de-institutionalization thanks to forms of intervention prerequisite to living independently providing budget decreasing in relation to the growth of the skills and abilities of people to manage their own lives and relationships and the everyday 'activation of integrated projects (live, work and social) to ensure lasting experience of autonomy. The program also addresses the issue of the amendment of the Civil Code which provides for the possible repeal of interdiction and disqualification, retaining as the sole measure of legal protection, variously modulated, the so called "support administrator".

Action Line 5 - Training Processes and school inclusion

The action program identifies, among other things, the issues of dissemination of the approach to special educational needs (BES), enhancing the inclusion of pupils with BES by the systematic involvement of all school stakeholders, and the need to additions to existing legislation, administrative power, also coordinated with the regions and the provinces, in relation to access to education for all stages of life and vocational training

At MIUR is active the Monitoring Council on inclusion of pupils with disability, that includes the organisations representing people with disabilities. The Council is aimed to involve persons with disabilities in the decision making process at national level.

Moreover parents participate to the school Work-Group for Inclusion GLI (at school level, composed by the school manager, teachers, parents and other professional figures) and are represented in the Local Inter-Institutional Work-Groups GLIR and GLIP (at regional and provincial level, composed by representatives of the Local Authorities, local health Authorities, Associations of people with disabilities).

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

5. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

The priority given by Italy for the next programming cycle of the Structural Funds for social inclusion concerns in the implementation of a national program designed to extend to territories and type of beneficiaries, the testing of new social card, according to the principles of the EU recommendation on active inclusion as well as strengthening the supply and improve the quality of services, with particular reference to social and educational services for

children and the long-term care for dependent persons, through the implementation of specific actions of Regional Programs.

According to the principle of partnership, MIUR involved different stakeholders (local authorities, NGO's, Associations, representatives of students and parents...) in the decision process making about the 2014-2020 *PON for School*⁸¹ priorities. This, through a public comment period (meetings and electronic submission of comments).

One of the goals of the 2014-2020 *PON for School* is to promote equity and social cohesion, also by supporting students with difficulties or disabilities. Indeed, one of the actions aimed at reducing school failure and drop-outs is specifically intended to support vulnerable students, disabled included (Action 10.1.1). Other actions regarding school innovation, learning environments, teachers training, school evaluation could impact the school as inclusive system.

Finally, the above mentioned National Observatory on the status of persons with disability is regularly consulted and informed about the implementation of actions regarding EU Structural Funds.

⁸¹ http://hubmiur.pubblica.istruzione.it/web/istruzione/pon/programmazione_2014_2020 [accessed 14 January 2015].

Cyprus

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Current situation:

Cyprus Statistical Service data obtained from the Special Unit "Employment of persons with disabilities" in the Labour Force Survey 2011⁸², shows that 20.6% of employed persons aged 15-64 years reported that they face serious long-term health problem or chronic diseases (22 men, 4% and women 18.6%). The respective percentage among non-workers was 30.9% (male 30.2% female 31.3%). In the same survey it was shown that 6.4% of employees and 16.2% of non-employees reported that they have some considerable difficulty in basic activities. From the population that stated of having a chronic health problem or difficulty in basic activities it was reported that 14.5% of the workforce and 52.9% of non-workers would be restricted in the number of hours per week they could work, 28.4% of employees and 60.2% of non-workers stated that due to the abovementioned conditions they would also be restricted or limited to the type of their work, 2.9% of employees and 21.9% of non-workers would face difficulties in transportation to and from work, 3.9% of employees and 25.7% indicated the need or the possibility of needing personal assistance at work and 6.2% of employees and 40.5% of non-workers reported the need of special arrangements in the work environment.

The European Directive 2000/78/EC has been incorporated in the Equal Treatment of Work and Employment Law of 2004 and in the Persons with Disabilities Law 2000 - 2007 defining the rights of persons with disabilities in employment. Every person who considers to be wronged by violation, in relation to discrimination in employment, is given the possibility to complain to the **Commissioner for Administration and Protection of Human Rights (Ombudsman)- Equality Authority**, which exercises the functions and powers of the Law against Racial and Other Discriminations of 2004 (L.142 (I)/2004). In addition, the Convention No. 159 of the International Labour Organisation (ILO) on Vocational Rehabilitation and Employment for Disabled Persons was ratified by the Ratifying Law 42/1987⁸³.

The Public Employment Services of the **Department of Labor**⁸⁴ offer free services for job seekers through the District and Local Employment Offices. The services offered concern the finding of a suitable work placement, the provision of advice and information on occupations, information on training opportunities and education and information on working conditions and labor legislation. The Advisors of the Employment Department are specially trained to serve vulnerable groups including persons with disabilities.

⁸² Labour Force Survey 2011 – Cyprus Statistical Service
[http://www.mof.gov.cy/mof/cystat/statistics.nsf/All/50A7DDCE5922065AC2257B6A002F6D38/\\$file/LFS-2011-060912.pdf?OpenElement](http://www.mof.gov.cy/mof/cystat/statistics.nsf/All/50A7DDCE5922065AC2257B6A002F6D38/$file/LFS-2011-060912.pdf?OpenElement)

⁸³ Department for Social Inclusion of Persons with Disabilities
<http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/All/A47315E7980A3E4DC2257AA10048852B?OpenDocument>

⁸⁴ Department of Labour
http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/dmlindex_gr/dmlindex_gr?OpenDocument#

The **Human Resource Development Authority** operates schemes for the placement of unemployed young university graduates for the acquisition of six months work experience in the open labor market and gives priority to young people with disabilities.

The Department for Social Inclusion of Persons with Disabilities provides the following vocational rehabilitation services for persons with disabilities:

(a) Operation of Schemes for Vocational Rehabilitation of Persons with Disabilities⁸⁵:

- Providing financial assistance to person with disabilities for the purposes of creating small enterprises within the framework of the Special Fund of the Vocational Rehabilitation of Persons with Disabilities Center Law L.103 (I) / 2000⁸⁶. The Scheme provides a grant up to €8.500 covering the purchase of machinery, equipment and raw materials and working capital.
- Subsidizing organizations of persons with disabilities to operate supported employment programs in the open labor market. Based on the Supported Employment Scheme⁸⁷ DSID subsidizes NGOs with the amount of €13.500 per year, per program of supported employment covering the salary of a job coach for each program supporting a group of at least 5 persons with disabilities.

(b) Application of The Recruitment of persons with Disabilities in the Wider Public Sector (Special Provisions) Law of 2009, L.146 (I) / 2009⁸⁸. This law regulates the recruitment of persons with disabilities who meet specified objective criteria, in 10% of current vacancies in the public sector.

The units of **Occupational Rehabilitation Services**⁸⁹ by the **Mental Health Services** - Ministry of Health have as their principal objective the multidisciplinary support of persons with psychosocial problems in order to achieve a satisfactory and effective reintegration into the labor market. They can help both job seekers through counseling in labor issues, and the people who are already in a professional environment and face difficulties.

In **Special Schools of Special Education and Training**, prevocational education and training programs are offered. These programs are designed to develop skills so that children can meet the demands of the work environment and provide them with knowledge in order for the children to be able to exercise a profession. Prevocational training programs are also offered in **Special Units in high schools and technical schools**. The aim of this educational and social policy is the smooth transition of these students from the school to the professional field.

To provide safe and healthy working conditions, including protection from harassment, and investigation of any complaint, the Health and Safety in Employment Laws of 1996 - 2011⁹⁰

⁸⁵ Department for Social Inclusion of Persons with Disabilities

http://www.mlssi.gov.cy/mlssi/dsid/dsid.nsf/dsispd26_gr/dsispd26_gr?OpenDocument

⁸⁶ Department for social Inclusion of Persons with Disabilities

<http://www.mlssi.gov.cy/mlssi/dsid/dsid.nsf/All/F36D497467D94AD6C2257B44003E8CEF?OpenDocument>

⁸⁷ Department for Social Inclusion of Persons with Disabilities

http://www.mlssi.gov.cy/mlssi/dsid/dsid.nsf/dsispd26_gr/dsispd26_gr?OpenDocument

⁸⁸ Department for Social Inclusion of Persons with Disabilities

<http://www.mlssi.gov.cy/mlssi/dsid/dsid.nsf/All/5E5F3AD92A3FA954C2257AA100466BA1?OpenDocument>

⁸⁹ Mental Health Services

<http://www.moh.gov.cy/MOH/MHS/mhs.nsf/All/F9B096B5D1C7B217C2257AEE0044B9D3?OpenDocument>

⁹⁰ Department of Labour Inspection

[http://www.mlssi.gov.cy/mlssi/dli/dli.nsf/All/292E937D17A4E043C22576F2002611E2/\\$file/Peri%20Asfaleias%20kai%20Ygeias%20Nomoi%201996-2011-ENOPOIISI.pdf](http://www.mlssi.gov.cy/mlssi/dli/dli.nsf/All/292E937D17A4E043C22576F2002611E2/$file/Peri%20Asfaleias%20kai%20Ygeias%20Nomoi%201996-2011-ENOPOIISI.pdf)

are into force under the responsibility of the **Department of Labour Inspection**, and require that each employer prepares a written risk assessment for the people employed, and any third parties at any workplace that is under its responsibility. The reported written assessment must take into account the already employed persons with disabilities and to guide the employer in measures such as setting the working environment, modification of work equipment, provision of appropriate training instructions etc.

Employment

Trends since 2009:

Recognising that there is much room for activation and integration into the labor market of inactive persons with disabilities the Ministry of Labour, Welfare and Social Insurance has promoted since 2009 the establishment of a new System for the Assessment of Disability and Functioning. Through the new System the Department for Social Inclusion of Persons with Disabilities identifies the needs and abilities for employment of persons with disabilities in order to suggest the necessary interventions. The first Disability Assessment Centre started its operation in Nicosia at the end of 2013.

Another target that has been achieved as from 2013 is the termination of operating state sheltered workshops for persons with disabilities. Sheltered workshops operated by NGO's are still subsidized by the state but they are restricted to persons who cannot enter the open labour market due to the severity of their disability.

A shift of preference from sheltered workshops to supported employment in the open labour market has been noted with parents of children with intellectual disability finishing school. One reason to this is that after inclusive education, children and their families choose inclusive employment. An incentive that has helped the supported employment institution to expand is that a person with a disability working in the open labour market and earning a salary up to €500 monthly continuous to be entitled to a monthly Minimum Guaranteed Income by the state, therefore having no dilemma for income safety and stability.

Education

Current situation:

According to the Law for Education and Training of Children with Special Needs 113(I) 1999, a child with special needs, means a child having a serious learning or special learning functioning or adjusting difficulty, caused by physical, mental, psychological or other deficiencies and having need of special education and training.

A child has learning, special learning, functioning or adjusting difficulty if he/she has seriously greater difficulties compared to the majority of the children of the same age, or he/she has a disability which excludes or hinders him/her from using the educational means of the sort schools generally provide for children of the same age.

Children attending mainstream classes 2013-2014	Children attending special units in mainstream schools 2013-2014	Children attending special schools	TOTAL 2013-2014
3134	442	365	3941

The policy trends of the past decades have been a clear shift away from the segregated education for children with special needs. Like many other countries Cyprus' education system has continually evolved over the years. International trends gradually began to influence change in Cyprus and in 2001 the Special Needs Education Law (N 113 (I) 99) was implemented favouring the integration of children with special needs in mainstream education. The law put into effect the constitutional right of children with special needs to an education. Underpinning goal was that all children have the right to be educated together regardless of any special need or disability. More specifically the law regulates the identification of children with special educational needs; their assessment and the development of an individualised educational program; their placement in the most appropriate educational setting with provision of both teachers and educational resources to meet their needs; and on the ongoing evaluation of their progress.

Since the implementation of the aforementioned law, the education of children with special needs has gone a long way. We have witnessed incremental development towards progressively improving the conditions of teaching and learning. The number of children in each class has decreased (maximum 25 children in each class). Curriculum is made accessible with the use of assistive technology (computers, specialized software touch-screen computers, joysticks and tracker balls, easy-to-use keyboards, communication devices, interactive whiteboards). Furthermore Information that is normally provided in writing is made more accessible by providing it in Braille or in large print for visually impaired children whereas sign language interpreters are available for deaf children. School adjustments that help students have a better access to the curriculum include, changes to teaching and learning arrangements, classroom organization, timetabling and support from other pupils as well as extra time during exams and the use of computers.

All schools have suitable infrastructure to accommodate the needs of the children. Schools increase access for individual pupils by making various adjustments. For instance, making sure lessons are on the ground floor if one of the pupils uses a wheelchair and the school doesn't have a lift. Other changes to the physical environment that schools make to increase access include: lighting and paint schemes to help visually impaired children, lifts and ramps to help physically impaired children, carpeting of classrooms to help hearing impaired pupils. The state provides transportation to all disabled children who do not attend neighbouring schools. In many cases the vehicles used for transportation have the relevant equipment to suit the child's needs. Escorts are also provided on school transport if needed. The Ministry of Education and Culture also provides the schools with special equipment such as wheelchairs, walking aids etc to be used by disabled children.

The Ministry of Education and Culture provides special educational services at all levels of education, (pre-primary, primary, secondary and higher education). In keeping with current philosophy the law ensures that the majority of children with special educational needs are educated within the mainstream classroom at their local school where special tuition in a resource room is provided for a specified period of the day. For those children in pre-primary and primary settings this will be provided by special education teachers and/or speech pathologists. In high schools and Technical schools this is provided by specified subject teachers. Special emphasis is given to ensuring curriculum access with the use of assistive technology, changes to teaching and learning arrangements, classroom organisation, timetabling.

Special educational provision is also provided in Special Classes within mainstream schools. Special classes provide more intensive special education to a small number of pupils in a class whilst maintaining contact and integration with a specific reference class of the school.

Special education provision is also available in special schools. There are 9 special schools operating in Cyprus. 7 special schools for children with severe or multiple and profound difficulties, 1 school for the blind and 1 school for the deaf. Special schools have the appropriate staff (psychologists, speech therapists, occupational therapists, music therapists, physiotherapists and other specialists as well as auxiliary staff) in order to support and provide the essential means to ensure the meeting of a child's special needs. Special schools curriculum contains a major element of self-help and independence skills, social and emotional skills development, recreational skills, communication skills and vocational training. Most special schools are built within the bounds of a mainstream school and develop networks of contacts and joint activities with mainstream schools to minimize segregation. Special schools also have pre-vocational and vocational training programs designed to assist the transition from school to work or from school to other vocational training authorities.

Education

Trends since 2009:

Taking into consideration the international trends, as well as the suggestions of the above studies and after a substantial evaluation of existing practices, in 2008 began the process of curricular reform within the general education reform. This process involved fundamentally re-thinking of the meaning and purpose of education for all children.

The new educational reform reflects the UN's global strategy of education for ALL. The education system is reformed in order to accommodate and respond to diverse groups of learners. The education of children with special needs is an integral part of the education planning and curriculum development.

Changes to the curriculum occurred at all levels and across subjects. A number of committees have reviewed all subjects to make sure that they respond to the needs of all children. Among them there was a committee of experts of special needs education. The recommendation of the committee's experts were taken into consideration so as the new school curriculum will be flexible enough to accommodate the diversity of learning styles and pace and is accessible to all students and those with special needs.

New instructional methods, differentiation of tasks, development of materials, provision for resources, flexibility for teachers, and extra time for additional support of all students from the classroom teacher during school hours in primary education are some of the reforms taking place from academic year 2011-2012.

Central to successful inclusion are mainstream classroom teachers who will gradually take ownership for inclusion. The Ministry of Education and Culture recognizes that for this to succeed new skills and knowledge is required from teachers. Therefore the in serving training that is already taking place, offers professional development providing the fundamental knowledge and skills of inclusive education. Understanding the needs and abilities of all children and those with special needs, gaining pedagogic skills such as instructional accommodation and activity differentiation will help classroom teachers undertake the task of teaching a diverse set of students.

The Ministry of Education and Culture aims to address the issue of early intervention of struggling learners. New methods and interventions in general education will be implemented. The focus will be on helping all children learn by addressing problems earlier, before the children are so far behind that a referral to special education services is warranted.

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Current situation:

As seen through the European Health Survey 2008 of the Cyprus Statistical Service, regarding the care needs of persons over 15 years, data showed that 0.3% fail or with great difficulty are able to feed themselves, 1.3% fail or with great difficulty are able to sit and get up from bed, 1.4% are unable or experience great difficulty in getting dressed and undressed, 0.9% are unable or experience great difficulty in using the toilet, 1.6% fail with great difficulty are able to use the bathroom. 2.8% of people who face difficulties in their activities receive assistance from another person, 0.5% are supported by technical means, device or component and 0.1% have altered their residence into being accessible.

The Constitution of the Republic of Cyprus in Article 9 specifies that each person has the right to independent living and social security. A series of social benefits and services provided by public services, NGOs and the private sector in Cyprus contribute together with families in addressing the needs of persons with disabilities. The five main government agencies that take such measures through social benefits and / or services are the Ministry of Labour, Welfare and Social Insurance - Unit of Social Benefits, Social Insurance Services, the Department for Social Inclusion of Persons with Disabilities, Social Welfare Services and Mental Health Services.

For every person lawfully residing in the Republic who does not have the necessary resources to meet his / her basic and specific needs the **Ministry of Labour, Welfare and Social Insurance - Unit of Social Benefits** provides a Minimum Guaranteed Income of €480 monthly plus additional amounts for rent and other needs. If the beneficiary of MGI has severe or complete disability as this is certified through the Disability Assessment Centre then is also entitled to an additional monthly disability allowance of €226. The new Law for the MGI replaced in 2014 the previous Public Assistance Law. 8.700 households with a member with disability continue in the framework of the new law to receive the disability allowance amounting to €22 million annually.

Also in the field of social protection, the **Social Insurance Services**⁹¹ provide to the Social Insurance Fund beneficiaries the following benefits:

- (a) Disability Pension according to the degree of incapacity in relation to work experience, with an annual cost of €54 million for 6.300 beneficiaries
- (b) Invalidity Pensions for incapacity for work due to occupational accident or occupational disease, with an annual cost of €5 million for 1000 beneficiaries.

⁹¹ Social Insurance Services

[http://www.mlsi.gov.cy/mlsi/sid/sidv2.nsf/All/9CD6011AC9CD2687C2257A87002602C6/\\$file/%CE%9F%20%CF%80%CE%B5%CF%81%CE%AF%20%CE%9A%CE%BF%CE%B9%CE%BD%CF%89%CE%BD%CE%B9%CE%BA%CF%8E%CE%BD%20%CE%91%CF%83%CF%86%CE%B1%CE%BB%CE%AF%CF%83%CE%B5%CF%89%CE%BD%20%CE%9D%CF%8C%CE%BC%CE%BF%CF%82%20%CF%84%CE%BF%CF%85%202010%20%28%CE%9D59%28%CE%99%292010%29.pdf](http://www.mlsi.gov.cy/mlsi/sid/sidv2.nsf/All/9CD6011AC9CD2687C2257A87002602C6/$file/%CE%9F%20%CF%80%CE%B5%CF%81%CE%AF%20%CE%9A%CE%BF%CE%B9%CE%BD%CF%89%CE%BD%CE%B9%CE%BA%CF%8E%CE%BD%20%CE%91%CF%83%CF%86%CE%B1%CE%BB%CE%AF%CF%83%CE%B5%CF%89%CE%BD%20%CE%9D%CF%8C%CE%BC%CE%BF%CF%82%20%CF%84%CE%BF%CF%85%202010%20%28%CE%9D59%28%CE%99%292010%29.pdf)

The Invalidity pension is provided as compensation for the loss of employment and salary of persons, and therefore provides financial assistance in order for them to achieve an adequate standard of living. The Disability pension is a financial compensation for persons who have suffered permanent damage (but have not yet become unable to work) due to occupational disease or work accident. It is noted that disability pensioners are able to work.

The Department for Social Inclusion of Persons with Disabilities operates a number of social benefits schemes and services regardless of income criteria, which aim to offset the cost of disability experienced by persons with disabilities and especially those with severe disabilities. The Department's total budget for social benefits amounts to €30 million yearly for 6.000 beneficiaries. For those individuals whose disability as assessed at the Disability Assessment Centre satisfy the criteria and conditions of the relevant laws or schemes the Department provides the following five monthly allowances:

- (a) Severe Motor Disability Allowance⁹² of € 337,66
- (b) Care Allowance for Paraplegic Persons⁹³ €350
- (c) Care Allowance for Quadriplegic Persons⁹⁴ €854,30
- (d) Special Allowance for Blind Persons⁹⁵ €316,37
- (e) Mobility Allowance⁹⁶ €51 or €102 depending on the disability

Additionally, the Department provides financial assistance to people who meet the criteria and conditions of the following schemes:

- (f) Scheme for the Provision of Financial Assistance for the Purchase of a Wheelchair⁹⁷
- (g) Financial assistance scheme for the provision of technical means, instruments and other aids⁹⁸
- (h) Allowance Scheme for the Provision of a Disability Car⁹⁹
- (i) Assistance through the Welfare Lottery Fund¹⁰⁰

Also the Department provides:

- (j) Disability Parking Card Scheme (Blue Badge)
- (k) Lending Scheme of Wheelchair and Technical Aids
- (l) Financial Assistance for Organisations of Persons with Disabilities¹⁰¹

⁹² Department for Social Inclusion of Persons with Disabilities
http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsispd10_gr/dsispd10_gr?OpenDocument

⁹³ Department for Social Inclusion of Persons with Disabilities
http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsispd12_gr/dsispd12_gr?OpenDocument

⁹⁴ Department for Social Inclusion of Persons with Disabilities
http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsispd11_gr/dsispd11_gr?OpenDocument

⁹⁵ Department for Social Inclusion of Persons with Disabilities
[http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/06F37D2067C298D4C2257A7C002CFE84/\\$file/N.11\(I\)2011_pdf.pdf](http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/06F37D2067C298D4C2257A7C002CFE84/$file/N.11(I)2011_pdf.pdf)

⁹⁶ Department for Social Inclusion of Persons with Disabilities
<http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/All/57271588CBA96B6CC2257AA10047BBAA?OpenDocument>

⁹⁷ Department for Social Inclusion of Persons with Disabilities
http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsispd16_gr/dsispd16_gr?OpenDocument

⁹⁸ Department for Social Inclusion of Persons with Disabilities
http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsispd19_gr/dsispd19_gr?OpenDocument

⁹⁹ Department for Social Inclusion of Persons with Disabilities
http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsispd15_gr/dsispd15_gr?OpenDocument

¹⁰⁰ Department for Social Inclusion of Persons with Disabilities
[http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/All/6A88404BEC1C790DC2257B44003249FC/\\$file/N%2079%28I%29%201992_pdf.pdf](http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/All/6A88404BEC1C790DC2257B44003249FC/$file/N%2079%28I%29%201992_pdf.pdf)

¹⁰¹ Department for Social Inclusion of Persons with Disabilities
http://www.mlsi.gov.cy/mlsi/dsid/dsid.nsf/dsispd23_gr/dsispd23_gr?OpenDocument

The **Social Welfare Services** provide support services and facilities to improve the living conditions of persons with disabilities in their own social environment. Such services with an annual cost of €4 million for 2.000 beneficiaries are:

- a) home care (personal care, house cleaning, laundry, escort to the hospital, outside work e.g. bill payments, shopping, etc. and also enhancement and education of family members in key domestic and family work),
- b) day care (gives the opportunity to persons with disabilities to be served by the Senior¹⁰² or Adults Centres¹⁰³ during the day, e.g. food, laundry, employment, entertainment, etc.) and
- c) residential care (provided for persons who need constant care and whose needs cannot be met by their families, and neither from the support services offered in the environment in which they live in).

Additionally, the Social Welfare Services operate the Grants in Aid Scheme and the Scheme for Local Authorities and Partnerships with Voluntary Organizations¹⁰⁴. The grant to NGOs which operate social care programmes amounts to an annual amount of €2,5 million for 43 programmes in all cities of Cyprus.

Day Centers of the **Mental Health Services** operate programs on a daily basis with the primary objective of promoting psychosocial rehabilitation of persons with chronic mental health problems. The Centers greatly assist in developing and improving social skills, self-care skills and independent living.

Trends since 2009:

Despite the social economic crisis that started in Cyprus as from 2012, the main disability social benefits have remained unchanged with only two schemes affected. In particular, the scheme for subsidizing vacation costs to persons with disabilities with a total yearly cost of €300.000 was terminated as from 2013 and also there was a decrease in the expenditure for the scheme providing economic assistance to disabled persons to purchase a car reducing the amount granted per car to €3.500. All other disability benefits and services were not affected. No new disability schemes were introduced for the provision of social benefits or services. The reform of the Public Assistance Law which was replaced by the Minimum Guaranteed Income Law did not significantly affect disability allowances.

The need for upgrading the independent disability assessment and certification mechanisms, methodologies and procedures was fulfilled with the operation at the end of 2013 of the first Disability Assessment Centre under the Department for Social Inclusion of Persons with Disabilities.

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country

¹⁰² Social Welfare Services
http://www.mlsi.gov.cy/mlsi/sws/sws.nsf/dmllegislation_gr/dmllegislation_gr?OpenDocument&Start=1&Count=1000&Expand=1

¹⁰³ Social Welfare Services
http://www.mlsi.gov.cy/mlsi/sws/sws.nsf/dmllegislation_gr/dmllegislation_gr?OpenDocument&Start=1&Count=1000&Expand=1

¹⁰⁴ Social Welfare Services
http://www.mlsi.gov.cy/mlsi/sws/sws.nsf/dmlcommunity_gr/dmlcommunity_gr?OpenDocument

(that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

After the introduction as from 2014 of the Minimum Guaranteed Income Law that replaced the Public Assistance Law the Ministry of Labour, Welfare and Social Insurance aims at an additional reform regarding the merging of all disability benefits under one law. Better targeting of public funds to the real needs of persons with disabilities, better information on the disability benefits per beneficiary, a unified database with all disability benefits information are some of the objectives of the targeted reform.

In the area of employment additional programmes like incentives for the creation of social enterprises to create new jobs for persons with and without disabilities are planned in the next years by utilising funds from the ESF.

In the area of health care the introduction of the new National Health System in Cyprus as from 2015 is expected in order to upgrade the quantity and quality of health care and rehabilitation services provided to persons with disabilities among other citizens.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

In Cyprus there is a special Law which puts an obligation to every public service to consult with the Cyprus Confederation of Organisations of Persons with Disabilities before taking any decision that affects persons with disabilities. Consultation and involvement takes place in several forms: by correspondence with the Confederation and taking into account their written opinion on issues under study, by meetings and discussions between the state services and the Confederation, by workshops and conferences etc. The representatives of the Confederation are official members in the Pancyprian Council for Persons with Disabilities, being the Coordinating Mechanism for the implementation of the UNCRPD. In addition, 10 representatives of the Confederation participate as members in the 8 Thematic Technical Committees which operate to monitor the implementation and reformulation of the National Disability Action Plan of Cyprus.

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

Another area which should include a disability dimension is Research and Development in the area of Assistive Technologies.

- Research agents should be encouraged to explore and invent new types of Assistive Technologies which enable persons with disabilities to actively participate in all aspects of their life.
- Disability professionals like occupational therapists, physiotherapists, speech therapists, music therapists and others should be actively involved and cooperate with the research community in order to guide as to additional technologies needed for further support of the needs of persons with disabilities and their quality of everyday life.

5. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

The establishment of a new System for the Assessment of Disability and Functioning was a programme co-funded by national budget and the ESF during the previous period 2007-2013. For 2014-2020 the Council of Ministers has approved the expansion of the new System with the creation of two additional Disability Assessment Centres in other cities of Cyprus. In the framework of the expansion of the System an electronic information system and database will be created, the issue of the National Disability Card will be enabled and the connection of the assessment findings with additional employment and social inclusion programmes will be integrated. The Cyprus Confederation of the Organisations of Persons with Disabilities but also additional NGOs not represented in the Confederation but still representing large groups of disabled persons participate in the consultation processes of the programme

Latvia

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Current situation:

Relatively low employment level is for persons with Group II disability (15.5%) and particularly low among persons with Group I disability (4.1%) - data on December 2013. By the statistic data by State Employment Agency (SEA) at the end of 2012 there were registered 9799 unemployment persons with disability and 2/3 of unemployed with disability are people aged from 45 years.

Trends since 2009:

Persons with disabilities are identified as one of the priority groups to be involved in complex aid measures because people with disabilities are exposed to the risk of unemployment most of all. There have been implemented Measure for unemployed representing disadvantaged groups (including persons with disability) as Subsidized working places, Workplace for Young Person, Aid for Voluntary Work for Young People, Training at the Employer (more information <http://www.nva.gov.lv/index.php?cid=6>). In 2012 participation in active employment measures (incl. information days of competitiveness increase measures) organized by SEA launched 13 unemployed persons with disability (in 2011 – 13 051). In 2012 career consultations received 2 892 persons with disability, of whom unemployed (job seekers) were 2 812 – observed increasing of job seeking between persons with disability. Also some NGO provide employment measures for persons with disability as a result they are motivated to work.

Education

Current situation:

One of the tasks by pedagogical medical commission of the state and local government is to promote inclusion of educatees with special needs in general education institutions. Specialists of pedagogical medical commission of the state and local government ensure consultative and methodic support to education institutions, local governments, parents on issues regarding the provision of education needs of educatees with special needs. There are organized seminars for general education institutions on relevant issues in organizing the learning process if educatees with special needs learn in education institution. Likewise by means of ESF resources there have been prepared diagnostic tools for four clinic groups – mental impairments, speech/language impairments, specific learning impairments, attention impairments.

Trends since 2009:

By improving the professional skills of teachers, where they receive information regarding the rights of people with disabilities, there are developed further educational programs for teachers: in 2010 – 20 further educational programs (400 teachers have received documents on improvement of professional qualification); in 2011 – ten further educational programs (400 teachers); in 2012 – nine further educational programs (360 teachers); in 2013 – seven further educational programs (200 teachers). As of September 1, 2012 persons with disability

are entitled to receive a new support service – service of an assistant in education institutions to support mobility and self-care. Also persons with hearing impairments are entitled to receive state paid service of a sign language interpreter to acquire a professional education program. This service is eligible to persons with hearing disability who acquire professional basic education, professional secondary education or higher education. The service is provided from the 1st September, 2012 and in the framework of this service there is ensured a sign language interpreter during learning process up to 480 academic hours within one study year. Service of a sign language interpreter provides Latvian Association of the Deaf for the state budgetary resources. The quality and accessibility of higher education is being improved by modernizing infrastructure of higher education institutions int. al. by adjusting to persons with functional impairments, and the provision with equipment, facilities and technologies. Adjustment of higher education institutions for persons with functional impairments is implemented if higher education institution modernizes or launches implementation of study programs in any of priority fields. It is also anticipated to extend a target group that receives an assistant service in education institutions defining that an assistant shall be available also to educatees of higher education thereby promoting education availability at all education levels.

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Current situation:

According to State Social Insurance Agency (SSIA) data on September 2013 the disability pension received 71 369 persons with disability (Group I disability pension – 7%, Group II disability pension – 52%, Group III disability pension – 41%). The average disability pension is 170.13 euro. Each group of invalidity has its own amount of benefits - <http://www.vsaa.gov.lv/en/services/persons-disabilities/state-social-security-disability-allowance>.

Persons with Group I and II disability, persons with disability aged until 18 years and a person accompanying a person with Group I disability or person with disability until aged 18 years are entitled to use for the state budgetary resources all kind of public transport except air transport, taxi and passenger traffic on inland waters in the territory of the Republic of Latvia free of charge a full list of reliefs for persons with disability depending on the determined group of disability is available on the website of the Ministry of Welfare in section ‘Persons with disability’ – ‘Reliefs for persons with disability’ <http://www.lm.gov.lv/text/918> .

According to the law social assistance and social services are within the responsibilities of the local municipalities. There are no regional administrations. Therefore the level and scope of support for persons with disabilities can be very different from one municipality to another depending on the financial situation and other factors.

Trends since 2009:

Since January 1, 2013 a new service for persons with disabilities has been launched – a municipality based service of an assistant for performing activities outside home¹⁰⁵, amounted to 40 hours a week within the territory of Latvia. Also as of January 1, 2013 a new service for persons with hearing disability has been launched – persons with hearing impairments are eligible to receive state paid services of a sign language interpreter to ensure communication.

¹⁰⁵ Assigning of a service of assistant in the municipality is regulated by the Cabinet Regulations of 18 December, 2012no. 942 „Procedure for Allocation and Financing a Service of an Assistant in the Municipality”

Since July 2014 allowance to a disabled person who needs care is EUR 213.43 per month. Technical aids are equipment or different technical systems that prevent, compensate, alleviate or neutralize reduction of a function or disability. As of September 1, 2009 a supply of technical aids to people was delegated to the State Ltd. „National Rehabilitation Centre „Vaivari”” and non-governmental sector. From January 1, 2010 a provision of persons with the sign language techniques took over Latvian association of the deaf, but a provision of persons with the *typology-technique* and ocular prosthesis – Latvian society of the blind. We have worked to develop and provide new project to ensure persons with disability and their family need. For example – ensure assistant services for children from 0-5 years with very severe disability in year 2015.

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

In employment sector policy is targeted to include persons with disability in labour market through different projects as subsidized work and cooperation developing with employers. Also we have developed Social enterprise concept as possibility to involve society in problem solving and create work opportunities for specific groups of person – the Ministry aim is to launch a pilot Project from January 1 2016 till December 31 2018 (see more <http://likumi.lv/doc.php?id=269885>). Education sector is directed to promote inclusion of educatees with special needs in general education institutions (see more - <http://m.likumi.lv/doc.php?id=266406>). Realize social service guidelines 2014-2020th year (see more - <http://likumi.lv/doc.php?id=262647>) to provide social inclusion and social accessibility to goods and services.

Latvia has not received a CSR on disability issues. However, there are CSRs on pension adequacy, social assistance coverage, etc., where persons with disabilities are among the risk groups. Disability is recognized as one of the factors creating additional vulnerability risks.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

The Ministry of Welfare within its competences provides the supervision of the implementation of the policy of equal opportunities for the disabled persons in the so-called "horizontal level", that is, in cooperation with the NGOs of disabled persons and the National Council of Disability Affairs (NCDA) performing the analysis of the policy, providing proposals for other institutions of state administration and government on different issues regarding the improvement of the quality of life for the disabled persons, overlooking the implementation of the principle of equal opportunities in every area of policies, including the use of European structural funds, as well as provides the supervision of the organization of the disability expertise in this country. These meetings are held four times a year. Similarly, to involve the NGOs in the disability policy, Ministry of Welfare (MoW) regularly organizes meetings with NGO where NGO are given the opportunity to express their views and proposals for the implementation of the commitments set out in the Convention, as well as to submit proposals or express an opinion regarding other issues related to the implementation of

the rights of persons with disabilities. Similarly MoW representatives participate in the events organized by NGO – discussions, workshops, conferences etc.

NGO's are informed and consulted on regular basis on amendments to the legislation during the drafting process and before submitting the document to the Cabinet of Ministers. However it has to be admitted that this is not usual practice in all policy fields, it differs from branch to branch,

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

Accessibility to goods and services (public and private), develop concept of universal design in cooperation with local government.

5. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

As deinstitutionalization is one of the main directions to make cohesive and inclusive society the policy target is to attract financing from EU structural funds to implement it - to explore the needs of clients living in social care institutions and develop infrastructure and services in the municipalities appropriate to the needs of individuals, to close affiliates of the state social care centers and ensure training of specialists to provide new services. Also there are planned measures to cease placing of new clients in institutions primarily ensuring non-familial care in a family environment for children aged 0 to 3 years and limiting the placing of person of age with indications to receive long-term social care and social rehabilitation services in care institutions if there are possibilities to receive services alternative to institutions. In workshops with NGOs are discussed funding applications, target of funning and best options of funding using.

Within the framework of the Ministry of Welfare several activities are targeted to persons with disabilities.

- Measures to provide a subsidized workplace. Ensured by the State Employment Agency Total funding – 23,4 m
- Development and implementation of professional rehabilitation programmes. Ensured by the Social Integration State Agency. Total funding – 1,2 m
- Development of the concept of support person for persons with mental disorders (help in such fields as daily activities, health care, legal and financial issues). Ensured by non-governmental institutions. Total funding – 3,2 m
- Support for rehabilitation services – physiotherapist, psychologist, reittherapy, hydrotherapy etc. Ensured by social service providers at local municipalities. Total funding – 8 m
- Social care service for families with children with disabilities - full-day assistant at home while parents are working, studying or participating in State Employment Agency's activities . Children under 5 yrs of age. Total funding – 2,5 m

- Time out service for families with children with disabilities . Ensured by social service providers at local municipalities . Up to 30 days per year. Total funding – 2,5 m
- Technical aid exchange system for disabled children. System improved and functioning evaluation laboratory established. Ensured by National Rehabilitation Centre Vaivari. Total funding – 5,3 m
- Disability assessment system for children improved continuing 2007-2013 planning period investment. Ensured by the State Medical Commission for the Assessment of Health Condition and Working Ability. Total funding – 0,3 m
- Promotion of diversity. National awareness raising campaigns, educational and motivation campaigns. Ensured by the Society Integration Foundation. Total funding – 1,6 m

Lithuania

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Current situation:

On the 1st of September 2014, 10.6 thousand disabled were registered by the **Lithuanian Labour Exchange**. During January-October, 2014 8895 disabled have been registered to local labour exchanges, 2.5 thousand have participated in active labour market policy measures and it composed 5 % of all unemployed, participated in ALMP measures.

Trends since 2009:

	Registered at local labour exchanges*	Employed*
2009	19597	4015
2010	17177	4883
2011	11203	6227
2012	12297	6078
2013	12427	4977
2014(January-October)	10659	3990
*during the year Lithuanian labour exchange data		
Dynamics of the number of working people with disabilities		
<i>The level of capacity for work</i>	<i>2012</i>	<i>2013</i>
0-25	803	816
30-40	21324	18801
45-55	24535	25813
Total	46662	45430

Education

Current situation and trends since 2009:

Legislation:

From 1 July 2010, education of special needs children were transferred to municipalities and became an integral part of general education system. Additional provision were allocated to the municipalities specifying that the Ministry of Education, in conjunction with the local authorities and the Government, provides a network of state and municipal general education schools for pupils with special educational needs and provision of educational assistance and will also perform other child welfare-related functions.

The amended Law on Education was adopted by the Parliament of the Republic of Lithuania on the 17th of March, 2011.

A number of secondary legislation acts were created. Two of them „Grouping of pupils with special educational needs and indicating levels of SEN“; „Organization of education of pupils with SEN“ indicates responsibility of schools’ founders, staff of schools, school support institutions, parents. They have to collaborate in order necessary conditions and adaptations of premises, curricula, technical assistive devices were assured to every pupil with SEN.

Definition of SEN were broadened up, includes gifted children as well (if they have learning difficulties) and now it reads „Special educational needs – needs of support and services in process of education and occurs due to being exceptionally gifted, having inborn or acquired disorders or due external disadvantages“ (The Law on Education, 2011).

The Law on Special Education (1998) after integrating of necessary issues into the amended Law on Education (2011) was invalidated.

Funding models

In 2011 the pupil’s with special educational needs basket was bigger by about 35.6 per cent compared to that of an ordinary pupil’s attending mainstream school basket.

From 2011 pre-schooler’s financial basket was introduced and covers 4 hours per day for child enrolled into preschool education. Pre-schoolers with SEN basket is bigger about 35 percent to compare to an ordinary one. This model improved accessibility and lead to increasing number of children enrolled (in 2011–2012 m. about 7000 attended them, 75 new private kindergartens operated in the field).

Transportation

For children living in rural areas in places located more than 3 kilometres from school or kindergarten a school bus service is provided.

Staff:

In 2007–2014 m. development of pre-school and pre-primary education was on agenda as much as possible and particularly – **upgrading of qualification of pedagogues** and school administrators, administration staff of education divisions in municipalities (training activities for developing team working skills, lydership; provision of special literature on implementation in to practice education based on a child centred paradigm, on constructing teaching content for a child and together with a child, on factor of surrounding that stimulates a creativity of a child etc.)

Teachers also have an opportunity to be involved into preparation of new documents, for example into revising and piloting curriculum procedures. In 2012–2014 1191 pedagogues were enrolled into piloting of the new Pre-primary Education Programme and 2210 – in piloting of „Framework of Pre-school Children Achievements“(teams of a teacher, vice-director attended the training). Purpose of such an approach – to insure a quality of implementation of national level documents and realise problems which might occur.

The Law on Education of the Republic of Lithuania (2011) reads that a teacher has a right – no less than 5 days per year to attend training courses. The expanses have to be covered from „pre-schooler’s basket“.

SEN pupils in mainstream institutions may be educated: at a mainstream group or class, following the mainstream curriculum, but with special methods applied; at a mainstream group or class following an adapted mainstream curriculum; at a mainstream group or class

following an individual curriculum which is specifically designed according to the needs of the pupil; partly in a mainstream group or class, partly in a special group or class; at a special group or class if a child has severe or profound special educational needs.

Children with SEN in pre-school and pre-primary education programmes:

Approximately 89 % of children with SEN attend mainstreamed groups, but children with severe and profound SEN can attend special pre-school groups (171) and special pre-primary (42) groups (2014). Children also can attend pre-school groups with their native language of instruction (107 – with Polish and 67 –with Russian).

The Law on Education reads: children who reached 7 years of age must attend the first form. But if parents so wish and a child is sufficiently mature to study under the primary education programme, they **can start school earlier**. Also the legislation allows to a child who becomes 7 years of age (for 1 year period) **to be enrolled into pre-primary and primary education programmes** adapted to his/her SEN and meeting recommendation of medical doctors.

In certain cases **pre-school or pre-primary education might be compulsory** (e.g. parents are not able to cope with parental duties). In that case municipalities' child welfare commission is in charge for the elaboration of the case and the statement.

The school support system has been slightly changing. For example: 4 special schools in 2015 are going to become resource centres with specialisation in educating children with autism, complex developmental disorders (learning disabilities, social, emotional and behaviour disorders). Home or distance learning in some cases is also available.

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Current situation and trends since 2009:

Social assistance pension (*šalpos pensija*) granted to disabled children:

	2014 (3rd quarter)	2009	2010	2011	2012	2013
Recipients	15 003	15 969	15 835	15 595	15 530	15 262
Expenses (LTL million)	22,4	93,6	92,4	90,7	90,3	89,8

Social assistance pension (*šalpos pensija*) granted to disabled adults:

	2014 (3rd quarter)	2009	2010	2011	2012	2013
Recipients	27 551	25 169	25 655	26 014	26 523	26 913
Expenses (LTL million)	42,3	155	157,1	159,2	162,1	165,1

Special Compensation for Care Expenses (*Slaugos išlaidų tikslinė kompensacija*) for those to whom need of permanent care is determined:

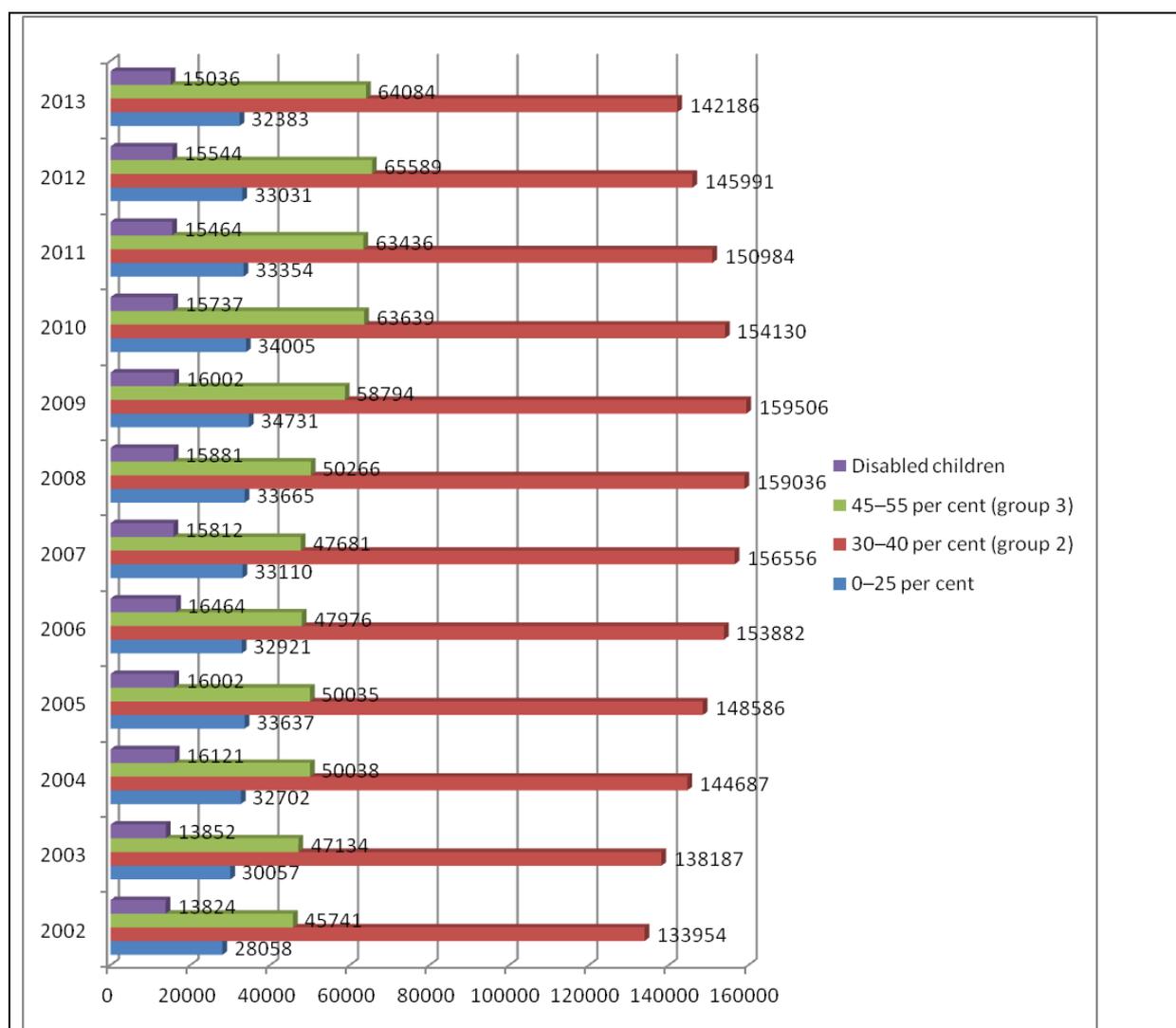
	2014	2009	2010	2011	2012	2013
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	(3 rd quarter)					
Recipients	40 811	40 766	43 534	40 131	39 174	39 373
Expenses (LTL million)	109,6	435,4	395,8	360,7	359,2	360,7

Special Compensation for Attendance Expenses (<i>Priežiūros (pagalbos) išlaidų tikslinė kompensacija</i>) for those to whom need of permanent attendance is determined:						
	2014 (3 rd quarter)	2009	2010	2011	2012	2013
Recipients	56 281	85 684	81 067	68 582	60 880	56 639
Expenses (LTL million)	37,3	210,3	169,8	147,5	134	126,9

The table below shows the dynamics of the number of disabled persons.

Dynamics of the number of disabled persons by the level of capacity for work (disability group) and the level of disability from 2002 to 2013



At the beginning of 2014, work incapacity pensions were paid to 253 700 residents of Lithuania, i.e. 1.8 per cent less than in 2013. The numbers of men and women receiving disability pensions differ to a slight extent: 48 per cent of men and 52 per cent of women. The number of disabled children was 15 000.

It should be noted that in 2009, the number of disabled persons who were recognised as disabled for the first time started decreasing, i.e. in 2002, the number of persons of working age who were recognised as disabled for the first time was equal to 20 200, in 2005 – 22 300, in 2007 – 26 600, in 2008 – 27 200, and in 2009 – 22 800. In 2012, there were 14 300 such persons, and in 2013 – 13 800.

Most often persons of working age are recognised as disabled due to malignant tumours, diseases of blood circulation system, connective tissue and skeletomuscular system diseases. The most severe disability is most frequently caused by tumours, diseases of the blood circulation system and mental and behavioural disorders. Mental and behavioural disorders, congenital developmental diseases, deformations, anomalies in chromosomes and diseases of the nervous system are the main causes of disability of children.

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

It should be noted that Lithuania ratified the Convention of the Rights of Persons with Disabilities and its Optional Protocol already in 2010 and took actions to implement the provisions of the Convention as well as possible and so that the provisions would ensure the quality of life of persons with disabilities.

There have been implemented a number of programmes or measures aiming at social integration of persons with disabilities and improvement of quality of their life in the society. They include provision with technical assistance measures, provision of social services, adaptation of accommodation to meet the needs of people with disabilities, payment of target compensations, supporting of disabled students, promotion of engagement and employment, and implementation of the professional rehabilitation programmes.

One of the key programmes whose measures had a direct impact as regards the improvement of the quality of life of persons with disabilities was the National Program for the Social Integration of Persons with Disabilities 2010–2012 approved by the Government of the Republic of Lithuania by Resolution No 850 of 7 June 2002. The Minister of Social Security and Labour by his Order No A1-194 of 17 May 2010 also approved the Action Plan for the National Programme for Social Integration of Persons with Disabilities 2010-2012. The National Programme covered many areas of public life: public education, health care, medical rehabilitation, training of autonomous life skills, vocational rehabilitation, psychosocial rehabilitation, social services, education, social security, employment, culture, sport, recreation and family life. The aims of the National Programme were achieved through better legislation, central and regional programmes and measures, staff training and raising their competence, collaboration and consultation with associations of the disabled, collecting and analysing statistical and other information about persons with disabilities, their problems, and

solutions to these problems, initiating and supporting social and economic research programmes.

The new Plan of Implementing Measures 2013–2015 of the National Programme for Social Integration of the Disabled 2013–2019 was approved on 5 February 2013. The Plan aims at ensuring protection of the rights and fundamental freedoms of the disabled with different disabilities without discrimination on the grounds of their disability and creating favourable conditions for the improvement of the social integration process.

Social integration of the disabled and the quality of their life in society are ensured through measures such as adaptation of housing, payment of target compensations, support for disabled students, provision of technical aids, and promotion of tolerance. The projects of social rehabilitation services in the community and support of association activities, targeted at the integration of the disabled, are financed. When implementing the projects, accessibility of services to the disabled is developed, self-sufficiency of the disabled is enhanced, and the role of the non-governmental sector is strengthened.

More information about the social integration system for the disabled you can find:

<http://www.socmin.lt/en/social-integration/social-integration-of-z7sn/social-integration-system-ag75.html>

The Law on Social enterprises determines special integration into the labour market measures for disabled. 99 % of target groups of the persons employed in social enterprises are disabled.

A social enterprise may be granted the State aid of the following types:

- 1) partial reimbursement of wages and state social insurance contributions;
- 2) subsidy for the creation of workplaces, adaptation of workplaces to disabled employees and acquisition or adaptation of their work equipment;
- 3) subsidy for the training of the employees who are attributed to the target groups.

Additional State aid of the following types may be provided to a social enterprise of the disabled:

- 1) subsidy for the adaptation of the work environment of disabled employees, production premises and rest rooms;
- 2) subsidy for the reimbursement of additional administrative and transport expenses;
- 3) subsidy for the reimbursement of expenses on an assistant (sign language interpreter).

According to the Law on Support for employment general employment support services (provision of information, counselling, employment intermediation, planning of individual activities with a view of supporting the employment) and active labour market policy measures (vocational training of the unemployed and of the employees who have been given a notice of dismissal, supported employment, support for job creation, support for unemployed territorial mobility) are being applied to disabled, as to Persons additionally supported in the labour market.

In 2013 the Government Resolution (1995) was eliminated and now local authority can introduce payment discounts and privileges that are based on local peculiarities instead of being prescribed by the central Government (e.g. for students, disabled parents, families with low income etc).

In 2009–2012 Programme for improving life conditions and education of children from birth to compulsory schooling was approved by the Government, recommendations for municipalities were created.

In accordance with legislation (2011) signed by 3 ministers (of Education and Science, Social Affairs and Labour and Minister of Health Protection) a new staff – in all municipality co-ordinators of multidisciplinary co-operation were established. Their responsibility – to co-ordinate services of institutions and specialists from education, social service and medical protection fields and to insure that all necessary services to a child from his/her birth to the start of compulsory education and his/her parents would be provided in a co-coordinated way and parenting skills and/or social skills were strengthened as well.

In order to improve educational practices, to enhance responsible fatherhood and motherhood, the portal www.ikimokyklinis.lt was introduced and updated.

During EU SF project „Promoting effectiveness and quality of support to pupils“ 48 two days seminars on problem solving were organised for staff of kindergartens. More than 50 CMC went abroad for study visit, attended training on team work in the project „Development of Pre-school and Pre-primary education“.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

The rights of the disabled are protected by the associations of persons with disabilities which are representing them. When decisions are taken, efforts are made to consider the opinion and experience of the disabled. The laws and other legislation relevant to the disabled are drafted by the responsible public institutions in co-ordination with associations of persons with disabilities. One of the key institutions representing the disabled and their organizations is the Council for the Affairs of the Disabled which includes, as participants, the representatives of the organizations of the disabled and vice ministers representing public institutions (ministries).

The Council analyzes the most important issues in relation to the social integration of people with disabilities and submits proposals to the Minister of Social Security and Labour regarding the implementation of social integration policy relating to the needs of people with disabilities (after the ratification of the UN Convention, the Council also monitors its implementation). Other relevant information concerning the Council you can find:

<http://www.ndt.lt/en/id-cooperation.html>

Representatives from NGOs are invited by Ministry of Education and Science of the Republic of Lithuania to participate in working groups to develop legislation or regulations related to education of the disabled children and youth.

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

In field of social inclusion there is a need to improve accessible and information environment: expansion of accessibility of public buildings, application of universal design principle, development of accessibility of living spaces for the disabled, use of new information and communication technologies to meet special needs of the disabled.

There is a need to improve educational access and quality for children with disabilities. The accessibility of education must be ensured by better adapting the school environment, by offering psychological, special pedagogical, special and social pedagogical assistance, by providing schools with technical aids to education and special teaching aids.

In Education and training the disabled pupils and students must benefit more effectively from an accessible education system and lifelong learning programmes. The national policy measures/action plans approved by the Ministry of Education and Science (local authorities, other public sectors involved) should therefore support the accessibility and quality of:

- early childhood intervention measures,
- education in pre-school and general education programmes,
- individual support measures,
- training of professionals working in education.

In addition, people with disabilities must be better informed about the possibilities of training and mobility, in particular as part of the [Youth on the Move](#) initiative and the [Education and Training 2020 strategy](#). This can be done by using possibilities of mass media in more effective way.

5. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

Main priorities / areas of intervention to enhance the situation of people with disabilities under the Operational Programme for the European Union Funds' Investments in 2014-2020:

- **Priority axis 7.** Promoting quality employment and participation in the labour market.
Specific objective 7.3.1. Increase employment, especially among the long-term and unskilled unemployed and people with disabilities (financed by European Social Fund).

Investments will be made in active labour market policy measures, particularly those aimed at providing or enhancing professional qualifications and competences of the unemployed, teaching practical skills, promoting territorial mobility, and other measures that could significantly contribute to the improvement of working skills and employability. Priority will be given to long-term, unskilled unemployed, people with disabilities, particularly to their integration into the labour market through the improvement of professional rehabilitation services.

- **Priority axis 8.** Promoting social inclusion and combating poverty.

Specific objective 8.1.1. Increase the share of community-based social services through transition from institutional to community-based services (financed by European Regional Development Fund).

The ERDF allocation will be targeted at developing the infrastructure and organisation of community-based and/or non-institutional services. Such investments, coupled with ESF-supported interventions (under investment priority 8.4), will serve to reduce the share of institutionalised children (deprived of parental care) and persons with mental and/or intellectual disabilities, and to develop services relevant to other social groups. It will also help ensure that new service recipients who do not live in care facilities do not end up in residential facilities as a result of under-developed community-based services.

Specific objective 8.4.1. Improve access to and quality of community-based services, develop services for families (financed by European Social Fund).

The ESF allocation will be targeted at providing support for the development and provision of non-institutional and community-based services to ensure availability of alternatives to institutional care (including services relevant for the deinstitutionalisation process) and services for people receiving care in families so that their care-givers are offered better opportunities to gain or improve a professional qualification and/or participate in the labour market. Support will be provided for the provision of “protected housing”, social rehabilitation, psycho-social assistance, social competences formation, temporary “respite”, day-care, personal social worker (“escort”), family counselling, integrated assistance at home, crisis management and other social services. One of the priorities will be given to people with disabilities.

Investments will be made in integrated services (social assistance, social care, etc.) to older persons and persons with disabilities. Such services will be provided at home by mobile social workers and other competent staff. Also the ESF allocation will be targeted at providing social services for people with epilepsy.

Specific objective 8.5.1. Promote the emergence of initiatives enhancing social entrepreneurship and social responsibility (financed by European Social Fund).

Support for social enterprises: training of employees of social enterprises who belong to target groups (people with disabilities), subsidies to compensate expenses on salaries for social enterprise employees belonging to target groups and for assistants (sign language interpreters).

NGO's as social partners are involved in every stage of planning and implementation of the Operational Programme for the European Union Funds' Investments in 2014-2020. NGO's (also working on disability) are members of the Monitoring Committee for the monitoring of implementation of the Operational Programme for the European Union Funds' Investments in 2014-2020.

All separate projects of documents (for the calls for proposals) implementing Operational Programme will be released to the public and NGO's will have possibilities to contribute to the improvement of documents.

Implementing of 2012–2016 Government of the Republic of Lithuania Programme: creating and implementing a number of action plans practically promoting accessibility, quality and equity of the disabled of various age in order to insure prevention of early school leaving and better social inclusion and participation. The action plans are going to be funded by EU SF and by the state budget. Continuation of the implementation of the measure is already intended.

Luxembourg

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Current situation:

The “loi modifiée du 12 septembre 2003 relative aux personnes handicapées” (modified law of 12 September 2003 concerning people with disabilities) has influenced the employment situation of people with a disability. This law put in place specific measures to encourage the professional integration/reintegration of people with a disability (e.g. covering a portion of the salaries of employees with a disability, coverage of the costs of workplace adaptations ...). A person who is recognized as a “salarié handicapé” (employee with a disability) can work on the open labour market or in a sheltered workshop. People that are unable to enter employment can apply for the “revenu pour personnes gravement handicapées (RPGH)” (income for severely disabled people).

At the end of December 2012, 2.811 employees with a disability worked on the open labour market (31.13% in the public sector, 8.11% in the municipal sector and 60.76% in the private sector), which accounts for 0.78% of all the employees on the open labour market in Luxembourg. 927 employees with a disability worked in a sheltered workshop and 2.422 people with a disability received the RPGH (income for severely disabled people) (1.237 are recognized as being “unable to work”, 1.185 are recognized as being “able to work” but have not managed to find employment).

Education

Current situation:

In Luxembourg, there is a schooling obligation for every child aged between 3 and 16 years. The State is responsible for enforcing this obligation. Children with a disability are educated either in a specialist school or in an integrated/inclusive way at a mainstream school. The decision on where the child is educated depends on the child’s needs.

During the school year of 2012/2013, 840 pupils were educated in specialist schools for children with a disability (262 at the “Centre de logopédie”, 11 at the “Centre d’intégration scolaire”, 8 at the “Centre d’observation”, 50 at the “Institut pour enfants autistiques et psychotiques”, 53 at the “Institut pour infirmes moteurs cérébraux”, 394 at “Centres d’Education Différenciée” and 62 at “Centres de Propédeutique Professionnelle (CPP)”).

In mainstream schools (early childhood and elementary education), very often support is needed to make the integration of a child with a disability successful. Therefore, a team of qualified multi-disciplinary professionals provides support for children with a disability and for the teachers in the classrooms. During the school year of 2012/2013, 492 pupils in elementary schools and 57 pupils in higher education benefited from this support. The “Institut pour déficients visuels (IDV)” (Institute for people with a visual impairment) supported 80 pupils in mainstream classes (40 in elementary education and 40 in high schools).

Furthermore, 254 pupils attended a school outside Luxembourg. The State/Government covered school fees for 178 pupils (157 following a decision by the “Commission Médico-Psycho-Pédagogique Nationale (CMPPN)”, the youth court judge or the child or youth psychiatry service and 21 attended a German-speaking school at Saint Vith and Eupen in Belgium which have signed conventions with the Luxembourg State).

Trends since 2009:

In the 2008/2009 school year, 663 pupils were educated in specialist schools (175 pupils were educated at the “Centre de Logopédie”, 10 at the “Centre d’intégration scolaire”, 40 at the “Centre d’observation Institut pour enfants autistiques et psychotiques”, 58 at the “Institut pour infirmes moteurs cérébraux” and 376 at “Centres d’Éducation différenciée and CPP”).

Since the 2008/2009 school year the number of pupils being educated in specialist schools has been growing. This is partly due to the fact that the number of children in Luxembourgish schools is rising.

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Current situation

The Luxembourg Government aims to support the autonomy and the social inclusion of people with a disability. An important change for the autonomy of people with a disability and elderly people was the introduction of the “assurance dépendance” (long term care insurance) in 1999. This insurance is part of the social health insurance. Every dependent person can benefit from the services covered by this insurance. The goal is for dependent people not to have to move to an institution/hospital, but rather to carry on living at their home for as long as possible. Dependent people can receive help/assistance for their basic living needs (hygiene, nutrition, mobility). Moreover, the long term care insurance provides technical aids for people with a disability – free of charge for them (e.g. wheelchairs, Braille displays, light signal systems for deaf people etc.).

About 19% of the people benefiting from the long term care insurance are people with a disability, 2% of which live in institutions/supervised accommodation. Thanks to the Luxembourgish social health system, particularly the long term care insurance, many people with a disability and elderly people can live on their own. Moreover, the Luxembourg Government’s aim is to enlarge the offer of semi-autonomous and autonomous accommodation for people with a disability which in 2012 could house up to 144 people. Currently two such projects are being launched with the financial support of the Government.

The modified law of 12 September 2003 concerning people with disabilities aims to promote the economic independence of people with a disability. The law provides an RPGH, an income for severely disabled people who are unable to work (neither on the open labour market nor in a sheltered workshop) and therefore cannot earn a living.

A person recognized as a “salarié handicapé” (employee with a disability), who for any reason beyond his/her control has no paid employment and whose income is lower than the RPGH (income for severely disabled people), can also benefit from the RPGH. This measure aims to reduce the risk of poverty for people with a disability. Furthermore, the law provides a secure income for people with a disability in employment on the open labour market or in sheltered employment.

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

For the Government, education and training for people with a disability is very important, therefore empowerment measures are continually being developed (e.g. 2011: creation of a “Life Academy” – a discussion forum for people with an intellectual disability).

Another trend that has begun to emerge is the provision of accessible information. More and more information is available in “langage facile” (easy to understand language, easy to read language) or in sign language. To achieve this aim, a service for language that is easy to read and understand was created in 2012 and the Government employed a sign language interpreter in 2014. Furthermore the Government aims to make the websites of the different ministries barrier-free.

There is a greater awareness in Luxembourg for the importance of “accessibility” and “design for all”. In 2010, the Ministry of Tourism introduced the “EureWelcome Label” to identify accessible tourist and leisure services. At the end of 2012, 58 services fulfilled the required conditions; at the end of 2013, there were 84. This shows a trend of awareness-raising for the concepts of “accessibility” and “design for all”.

The modified law of 12 September 2003 concerning people with disabilities establishes quotas to ensure that a given percentage of employees with a disability are employed in the public and private sector. The Government aims to ensure that these quotas are fully respected in the public sector.

In 2014, the Ministry of Labour organized a job fair for people with a disability. The employers illustrated already successful examples of the integration/inclusion of employees with a disability on the open labour market. The interest in this kind of event shows that many people are afraid of employing a person with a disability and that there is a lack of information. So for the Government and all the ministries it is very important to sensitize not only the employers, but society in general in order to ensure that there is no more fear and uncertainty towards people with a disability.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

Yes, Luxembourg has involved disabled people (organizations and individuals) in the development and monitoring of policies that concern persons with a disability. Luxembourg ratified the Convention on the Rights of Persons with Disabilities in 2011. In 2012, a national action plan concerning the implementation of this Convention was published. Disabled people were strongly involved in the drafting/establishment of the national action plan.

Furthermore, there is a “Conseil supérieur des personnes handicapées” (higher national council for people with disabilities) whose members are people with disabilities, professionals working in the disability sector and representatives of various ministries. The mission of this

higher national council is i.a. to assist and advise the responsible minister on the coordination of public policies concerning people with a disability.

4. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

Since 2009, the “Service des Salariés handicapés (SSH)” (department for disabled employees) of the “Agence pour le développement de l’emploi (ADEM)” (national employment administration) takes an active role in the “job-coaching” - service of the “association d’aide pour le travail thérapeutique pour personnes psychotiques”. The aim of the project is to support/coach people who are experiencing psychosis in their endeavours for obtaining/maintaining a job. This project is co-funded by the Ministry of Health, the Ministry of Labour and the European Social Fund.

Hungary

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Current situation:

The current care and occupational rehabilitation system of people with disabilities, people with health problems was launched in 2012. The new approach emphasizes retained abilities. The focus is on retained working skills, health condition, physical and mental capabilities. The medical, occupational and social aspects are equal in the classification.

There are two forms of benefits: “transit employment” and “long-term supported employment”.

Transit employment prepares those employees who can be rehabilitated in protected circumstances to work in the open labour market. The transition is a process for developing their skills and competences and for preparing people with disabilities to step out into the open labour market in protected conditions. They can get rehabilitation services and financial support, as well.

Long-term supported employment is the preservation and development of working skills, health condition, physical and mental capabilities of people with disabilities in protected labour circumstances, as they could be employable only with continuous assistance.

Rehabilitation Card is a new element in the system. It can be received by persons with disabilities to promote their employment in the open labour market ensuring absolute immunity of the social contribution tax for the employer up to 27 per cent of the minimum wage twice for the entire duration of the employment. Number of people employed with Rehabilitation Card has been increasing continuously since its introduction. There were 31,608 employees in 8,792 companies in November 2014.

Trends since 2009:

The Hungarian Government aimed to eliminate the anomalies in the care and occupational system of people with disabilities and get them back as soon as possible to the labour-market. The other target was to make the use of benefits for this purpose more efficient and transparent. The government wanted to simplify the administration for people with disabilities and shorten the process of finding a job. For this reason, a new care and occupational rehabilitation system was launched in 2012.

Rehabilitation Offices were formed within the Government Offices of the counties to examine the persons with disabilities, define the benefits, and assist in the job placement services and in promoting access to employment, as well.

The complicated supporting system has been replaced by two new forms of benefits: “transit employment” and “long-term supported employment”. Bureaucratic elements became significantly simplified and the quality requirements for the employers were increased. The aspects of measurability, effectiveness, and efficiency, as well as control are the key roles.

The accredited employer has to provide e.g. rehabilitation advisor, rehabilitation mentor and personal assistant if needed, and must have an occupational rehabilitation program and a rehabilitation plan. The employer has to shape the work tools, equipment, technology and the

physical environment to the working abilities of the employees with disabilities. The accredited employer can get support not only for the expenses of employment, but for adopting or transforming workplaces, as well.

Introducing the Rehabilitation Card is a new tool for persons with disabilities to promote their employment in the open labour market. There is not any regulation concerning the number of the employees or the size of the firm when using this card. The increasing number of the users shows well the success and popularity of the Rehabilitation Card.

Period	Number of persons employed with Rehabilitation Card	Number of employers	The amount of tax relief (thousand HUF)	The amount of tax (thousand HUF)
July 2012	5,574	3,217	117,799	4,807
November 2012	7,703	4,068	166,574	6,243
June 2013	18,339	4,872	354,463	10,717
November 2013	21,358	5,645	415,336	14,934
June 2014	28,981	7,876	572,521	17,776
November 2014	31,608	8,792	622,463	22,696

Education

Current situation:

Over the recent years, significant developments have been taken place which aim to promote the access of children with special educational needs to quality education, as well as the prevention of undue classification as a person with mental disability. Moreover, the entire specialized pedagogical service system has been reformed in 2013 affecting more than 300 public education institutions (timeframe: 2012-2014, budget HUF 2,3 billion).

Currently, more than 64 per cent of children and students with special educational needs participating in the public education system receive education in an inclusive methodological framework.

The education of children and students with special education needs require the prevalence of the following conditions:

- The involvement of a special teachers, conductors with appropriate skills to educate children and students according to the type and the rate of their special education needs, special curricula, course books and other instruments.
- In case of individual educational plans, integrated pre-school education, school education, developmental education and developmental teaching, a special teacher with special qualifications in line with the requirements set by the committee of experts, furthermore, special curricula, course books for the classes and special medical and technical equipment.
- The decision of the committee of experts on the areas to be developed.

Besides, additional assistance is being provided by means of

- the guideline for the nursery and school education of children and pupils with special educational needs which supports inclusive education in mainstream schools and at the same time provides a framework for schools to develop their local curricula and practice;
- individual development plans which have to be prepared for pupils with special educational needs requiring individual progress at school;

- services and mobile professionals of Integrated Special Education Methodology Institutions. These methodology institutions may also perform some of the tasks of the pedagogical assistance services as well as family support and school health care.

The Public Education Act provides extra services and preferential treatment for pupils with special educational needs:

- Organization, methods and tools applied by kindergartens are determined by the individual needs of children.

- Local curricula of schools may allow pupils with special educational needs to have longer time for meeting the requirements of a school year.

- When calculating the headcount of nursery groups and school classes, children and pupils with special educational needs are taken into account as two or three children, depending on the type of disability.

- Schools have to provide health and pedagogical rehabilitation activities for pupils in addition to the obligatory number of classes (obligatory instruction time).

- In accordance with the expert opinion of the diagnosis committee, school heads may exempt pupils with special educational needs from assessment in some subjects.

- At exams, pupils with special educational needs are provided longer preparation time and all the tools they needed during learning (e.g. computers, type writers) and may take an oral exam in writing or a written exam orally if needed.

Trends since 2009:

The number of students with disabilities in higher education has steadily increased in recent years: in 2007 1,013, in 2008 1,179, in 2009 1,658, in 2010 2,158, in 2011 2,519 students with disabilities studied in higher educational institutions. The number of children with special educational needs in nurseries was 4,917 in school year 2008/2009, 5,027 in 2009/2010, 5,536 in 2010/2011, and 6,324 in 2011/2012.

The number of persons getting early childhood education and care was 2,273 in school year 2008/2009, 2,372 in 2009/2010, and 2,575 in 2010/2011.

The number of children and students with special educational needs in pre-school, primary and secondary education, daytime and adult education was 75,664 in school year 2008/2009, 77,844 in 2009/2010, 79,635 in 2010/2011, 81,136 in 2011/2012.

Overall, the proportion and number of people with disabilities and special educational needs is steadily growing.

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Current situation:

After the expiration of the National Disability Program 2007-2013, the construction of the new National Disability Program 2015-2025 has come to an end. The program summarizes aims related to people with disabilities and changed working capacity. The preparation of the draft involved government bodies (ministries) and other state institutions, as well as civil, professional and advocacy organizations of people with disabilities. The National Disability Council also participated in the preparation of the concept. The program emphasizes early childhood development and rehabilitation, education and training, the promotion of employment, thereby increasing the ability of self-sufficiency. The program highlights multi-

risk groups and the support of the family of people with disabilities. The program is expected to be adopted in March 2015.

Hungary declared by the Act XCII of 2007 (Article 19) the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community.

Hungary ensures the availability of all the community-based services (see Act III of 1993 on social administration and social benefits, Article 65/C and 65/F) that encourages the self-sufficient life and social engagement of persons with disabilities.

Act XXVI of 1998 (Article 17) declares that the residential institutions for persons with disabilities providing nursing and care should be replaced and the integrated, community living of persons with disabilities should be ensured regardless of the type and the degree of severity of disability of the person.

The Hungarian Government adopted Government Decree No. 1257/2011. (VII.21.) on the strategy for the replacement of social institutional capacities providing nursing and care for people with disabilities and the implementation of governmental tasks.

Trends since 2009:

Year	Day care facilities for persons with disabilities			Support services		Supported living for persons with disabilities		
	number of places	number of care recipients	total amount / person (HUF)	number of care recipients**	total amount / person (HUF)	number of places	number of care recipients	total amount / person (HUF)
2009	5,729	5,503	454,110	17,841	financed by tenders			
2010	6,485	6,116	405,600	18,008				
2011	7,278	6,802	405,600	16,912				
2012	7,652	7,125	405,600	14,844				
2013	7,692	7,353	500,000	14,334				
2014	n/a	n/a	500,000	n/a		125	66	827,418
2015	n/a	n/a	500,000	n/a		n/a	n/a	879,539
2009-13. KSH data								
2014. Kenyszi data by average of work days								

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

After the expiration of the National Disability Program 2007-2013, the construction of the new National Disability Program 2015-2025 has come to an end. The program summarizes aims related to people with disabilities and changed working capacity. The program

emphasizes early childhood development and rehabilitation, education and training, the promotion of employment, thereby increasing the ability of self-sufficiency. Furthermore, it contains more initiatives on sports, culture, tourism, rehabilitation, healthcare, accessibility, etc. The program highlights multi-risk groups and the support of the family of people with disabilities. It is expected to be adopted in March 2015.

Regarding education, the main challenge is to develop the access to quality inclusive education.

The service system providing counselling on special education, inclusive education, early childhood development and care, expert and rehabilitation activity etc. has been entirely restructured. The objective of the changes is to improve access to quality care of children, students with special attention and educational needs. The service system has been complemented with two elements, care of extraordinarily talented children, students and the nursery and school psychology service.

Important test-level developments and new, modern diagnostic protocols have been developed recently to serve the access to quality education of children with special educational needs and the prevention of unreasonable classification as disabled [ie. unreasonable classification and segregation of multiply disadvantaged (including Roma) children]. Within the construction, 13 new assessment and development procedures were standardised and adapted. To replace out-dated IQ tests, the WISC-IV test has been standardized, inter alia, the Hungarian adaptation of one of the tests of this internationally known and widely used group of tests.

The content of this scheme was determined with regards to remarks of civil partners and the recommendations of the UN Disability Committee. The developments to combat unjustified classification are continuing.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

Non-governmental organizations receive great financial support from the Budget Act for creating their own programs, and they have the opportunity to take part in public consultations. All programs affecting people with disabilities are preceded by extensive public consultation and the Ministry closely works together with representative bodies of people with disabilities.

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

Hungary has no proposal currently.

5. How will you use the EU funding available in the 2014-2020 programs to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

Ministry of State for Social Affairs and Social Inclusion in planning EU 2014-2020 funds wants to emphasise the real integration of service user with disability and to support the

prevention of further inflow into residential institutions and develop community based services.

Two main objectives can be set with regard to social services: continuing the process of replacing institutional capacity, and improving efficiency and the quality of services provided in other areas of the care system. The entire process needs to be managed, the individual replacement steps need to be duly prepared and implementation need to be supported through mentoring and other services. Compared to the developments completed so far, progress is primarily directed at the application of integrated solutions in rehabilitation-related services and the development of the mentoring network which supports the replacement.

To carry on the replacement process, the social basic services provided in the vicinity of the institutions subject to replacement need to be developed, their capacity need to be expanded and the social environment is need to be improved. Institutions participating in the replacement program receive trainings and support to plan replacement and their services that can thus adapt to the individual needs in order to promote the users' transfer from institutional care to supported living and their social integration.

Our main priorities in the infrastructural development of social services for people with disabilities include the followings:

- a) Providing residential social care institutions for people with disabilities by sustaining the strategy for the replacement of social institutional capacities providing nursing and care for people with disabilities in the period 2011-2041, in accordance with relevant international recommendations;
- b) Modernization in the area of non-long-term residential service institutions (not covered by the de-institutionalisation requirement);
- c) Development of new services and community based services;
- d) Modernisation of equal access infrastructure, the purchase of augmentative and alternative communication devices, and a lending network for these devices

In the period 2014-2020, several programs are planned to support the employment of people with changed working capacity.

In 2015, the launch of a major labour market integration program is expected. Within the framework of the program, the preparation of people with changed working capacity to the labour market is beginning. On the basis of an individual level assessment, a development plan will be elaborated during the preparation, which supports integration to the labour market. The program will provide services and assistance to the individual development plan. The program is open to non-governmental organizations, as well, which are able to promote employment with providing labour market services.

Furthermore, in the period 2014-2020, objectives aiming at developing the ability of adaptability to working conditions, improving the non-physical accessibility and facilitating the acquirement of work experiences are also planned through programs, that are incentivised by counselling, mentoring, training and other human service provision. These are also supplemented by the exploration and preparation of workplaces aligned to changed working capacities.

All programs were preceded by extensive public consultation and the Ministry closely works together with representative bodies of people with disabilities.

Malta

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Current situation and trends since 2009:

The Equal Opportunities Act (EOA), provides that an employer must not discriminate against a person with disability in the areas of procedures relating to application for employment, hiring, promotion or dismissal of employees, employee compensation, job training or any other areas relating to the normal conditions and privileges of employment. Furthermore the employer must not act in any way that would reduce the opportunities of the person with disability employed, and must make reasonable accommodation for the impairment of the person concerned. It is not permissible for an employer to use tests or procedures designed to screen out persons with disability unless they can prove that the tests are essential for the role. The employer is required to make existing facilities readily accessible to and usable by persons with disability and also to restructure jobs and amend work schedules to include part time work; acquire and modify equipment or training materials and provide assistance such as an interpreter or reader. Fiscal incentives and assistance are available to employers and expenses incurred may be claimed.

Education

Current situation and trends since 2009:

Education authorities, bodies or institutions are prohibited from applying discriminatory practices and/or policies discriminating on the grounds of disability inter alia by refusing the applications or by altering terms and conditions under which a student is usually accepted, or by limiting the access of the student to any benefit, service or facility provided, or by expelling a student on the ground of disability.

Where the admission or study progression of a student with a disability necessitates the purchase of assistive or adaptive services or facilities, the educational authority may only refuse admission or continuation of the study if the purchase of equipment does not satisfy the test of reasonableness according to the EOA.

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Current situation and trends since 2009:

The notions of equal opportunity, inclusion, community development and social cohesion remain at the centre of the Government's strategy and the Maltese Government is committed to an unprejudiced society based on equality that should lead to a qualitative and quantifiable improvement in the standard of living of persons with disability. One of the main visions which will be set in the National Disability Strategy (to be launched in mid 2015), is the eradication of poor health, lower levels of participation in education, lack of training and employment, social exclusion, inaccessibility, discrimination and poverty.

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

The National Policy on the Rights of Persons with Disability attempts to address various themes (15 different themes – amongst others, Education, Employment and Inclusion) not only to improve the quality of life of persons with disability and their families, but also to ensure that they are treated at par with non-disabled people – (<https://activeageing.gov.mt/en/Documents/Book%20design%20english.pdf>) .

With the intention to address the themes listed in the National Policy, the Maltese Government, during the year 2015, will launch the National Strategy for Persons with a Disability. Initiatives which will be announced in the mentioned strategy will include strategy plans on; training for all staff working in the disability sector, giving priority to evidence based practices to be used; The Adult Protection Act; Review of the EOA with continuous consultation with persons with disability, NGO's and other stake holders; Review of the National Commission for Persons with Disability (NCPD) duties as the independent mechanism to the UNCRPD; and implementing the Budgetary measure for the year 2015 of having a persons with a disability in Government Boards.

In regards to employment, the following three measures were announced during the Maltese Government Budget for the year 2015:

- Persons with disability, receiving the disability pension will still receive the pension once employed, even if the salary is more than the minimum wage in Malta.
- Tax Credit to employers, of not more than €4500, for each employed person with a disability.
- In 1967 a law stating that employers in Malta must have 2% quota of their employees with a disability was enacted. This law was not being followed by every employer, the following measure will ensure that this law is properly followed; Employers whom do not respect this quota have to contribute the amount of €2400 for each employee with a disability not employed. This contribution will go in a new Fund, with the main aim of supporting persons with a disability in employment.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

Social and public policy concerns should be directed towards creating and engaging a socially just society benefitting from the active participation of persons with disability and the Maltese Government firmly believe that the active involvement of persons with disability is crucial, at all levels. In fact as mentioned earlier, a new legislation, stipulating that persons with disability will be on government boards, will be enacted during the year 2015.

The priority in the disability sector for Malta is to review, and in some instances, set-up the organisational infrastructure that will allow the Government, via the Parliamentary Secretariat for Disability Rights and Active Ageing, to monitor what persons with disabilities and their

families have to say for the appropriate action to be taken. Moreover, the Focal Point office was set up in 2014, to amongst other; look at the implementation of the UNRPD, whilst holding ongoing meetings with persons with a disability, NGOs and other stakeholders.

Of paramount importance is the guarantee that the required regulations and enforcement systems for the protection of the rights of persons with disability are in place and are effective. There is an acknowledgement that good corporate governance and sustainable development are in place at the macro level. Ethical financing in disability NGO's has been recognised as assistance to organisations of people with disability along with solidarity based economy, including co-operative entities and social enterprises.

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

The Maltese Government, together with the Secretariat for Persons with a Disability and Active Ageing, the Focal Point Office, and the NCPD, is continuously working on revising, updating and creating new laws, standards and guidelines involving directly or in directly persons with a disability.

5. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

With the current funds allocated by the European Union, the situation of persons with various types of disability can be studied in further detail. €150,000 in funds from the LEAP project were allocated to fund a pilot database to see which needs were needed by persons with disability.

Aġenzija Sapport and KNPD are two entities that provide and regulate respectively assistance to persons with disability. Such entities with the role of supporting and aiding persons with disability will also benefit from the project Capacity Building in Care for the Elderly and Persons with Disability, to train and improve their workforce to adequately handle persons with disability in a social environment. Apart from this a research study in the same project has been funded to focus on effective carer support as well as evaluate sustainable structures in the context of disability for Aġenzija Sapport involving care workers. Priority will be given to middle and senior management levels and also aims at evaluating and developing recommendations on valuable evidence based approaches that would ultimately provide enhanced assistance to carers. The outcomes of this research/evaluation will help the Ministry to identify further training opportunities in this area in the years to come.

The Netherlands

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

The labour participation of people with a disability has decreased between 2008 and 2013. In 2008 labour participation of people with a disability was 42% and in 2013 33.2%. The data is based on a questionnaire of the CBS (Dutch bureau for statistics).

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

There is no specific information about social inclusion of people with a disability available. In the National Social Report of the Netherlands (attached) general information about social inclusion in the Netherlands can be found.

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

The government has an ambitious legislative program which focuses on improving the participation of people with a disability on the labour market. With the Participation Act, municipalities will become responsible for helping people with a disability to work. The municipalities and the Institute for Employee Benefit Schemes (UWV) will implement the Participation Act.

In April 2013 the government made a 'social deal' with trade unions and employers organizations. The employers in the private sector guarantee to create 100.000 extra jobs for persons with a disability over a 10 years period. The public sector will guarantee an extra 25.000. By means of a quota law there is a framework created that makes it possible for the government to activate a quota for extra jobs for persons with disabilities. This will only be activated if the employers do not reach the amounts they have guaranteed. The law still has to pass parliament.

For more information, see the National Social Report of the Netherlands (attached).

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

Yes, it is standard that every legislation the ministry of social affairs and employment constructs, and which impacts specific groups like persons with a disability, is spoken about with organisations representing these groups. During the implementation process, exchange with these organisations takes place.

Austria

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Current situation and trends:

High rate of unemployment of people with health-related employment limitations (see TABLE 1); continuation is predicted because of cutting the time-limited version of Disability Pension since 1.1.2014.

TABLE 1: Unemployed persons with health-related employment limitations in Austria 2009-2013 (average per year)

year	2009	2010	2011	2012	2013	2014
persons with health-related employment limitations	35.673	35.664	36.439	39.978	47.364	57.594
all unemployed persons	260.309	250.782	246.702	260.643	287.206	319.357
percentage persons with health-related employment limitations	13,7	14,2	14,8	15,3	16,5	18

Education

Current situation and trends:

Rising rate of pupils with special educational needs; in the year 2012/2013 more than 50% of them were educated in integrated/inclusive ways at main-stream schools.

TABLE 2: Young people with special educational needs

school year	2009/2010	2010/2011	2011/2012	2012/2013
all pupils	596.162	586.642	580.165	571.543
pupils with special education needs	28.468	29.146	29.646	29.793
%	4,80%	5,00%	5,10%	5,20%

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Current situation and trends:

Mainly in the competence of the Länder, about community living and community-based services no data available;

Poverty: see TABLE 3; 2013: 16% of all PWD was considered at risk of poverty (= their

equivalised household income is below an at-risk-of-poverty threshold of 60% of the national median household income), 27% of all PWD were considered as being at risk of poverty or social exclusion. They are either at-risk-of-poverty or severely materially deprived or living in a household with very low work intensity. Comparing these data with the “common” percentage the higher poverty risk of PWD is evident.

Table 3: Poverty Risk of People with Disabilities (PWD) in Austria 2009 – 2013

		2009	2010	2011	2012	2013
PWD at risk of poverty	in 1.000	142	132	127	126	110
	in %	21	20	19	19	16
all persons at risk of poverty		14,5	14,7	14,5	14,4	14,4
PWD at risk of poverty or social exclusion	in 1.000	226	195	215	205	186
	in %	34	30	32	31	27
all persons at risk of poverty or social exclusion	in %	13,1	18,9	19,2	18,5	18,8

Statistic Austria, EU-SILC 2009-2013, special analysis (data of PWD)

“Disability”: strong impairment from a subjective point of view in a period of longer than half a year, which hinders to do all things in daily life.

http://www.statistik.at/web_en/statistics/social_statistics/poverty_and_social_inclusion/index.html,

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

The main document: National Action Plan on Disability 2012 – 2020 (http://www.sozialministerium.at/site/Soziales/Menschen_mit_Behinderungen/Nationaler_Aktionsplan_Behinderung_2012_2020/) addressing all federal ministries and institutions (not the Länder) includes objectives and measures concerning education and employment.

Education: The development of inclusive education is seen as a constructive process among federal government, local governments and community bodies, which has been started from present overall conditions to open and make fit mainstream schools for inclusion methods of learning; in the form of the ‘inclusive region’ approach, a way to realise this in practice has been developed and will start in two districts of Styria next year, where initially inclusive school and teaching programmes will be tested.

Employment: All relevant bodies, especially the Labour Market Service, have to follow the disability-mainstreaming-strategy to combat unemployment of people with disabilities. The reduced trend to Disability Pensions by cutting the time-limited version for people under the age of 50 has to be completed by rehabilitation services to give them a new chance for work.

The Sozialministeriumservice (former: Federal Social Office) will continue and reinforce its projects in the fields of leading to work, counselling, coaching (especially for young people and early school leavers) and qualifying. In this year a pilot project called “fit for training” was created and will be transformed into “training schools” next year.

3. Has your country involved civil society and disabled people organisations in the de-velopment, implementation and monitoring of policies that impact persons with disabilities? How?

DPO’s were involved in the drafting of the Austrian State Report for the CRPD in 2010 and also in the drafting of the National Action Plan on Disability in 2011/2012.

The implementation of the National Action Plan on Disability is observed and accompanied of a committee called “NAP-Begleitgruppe” (NAP-counselling group) in which stakeholders of all relevant DPO’s, Federal Ministries, Länder, social partners, researchers and Ombuds-persons are represented.

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

As seen in Table 3 above the higher risk of poverty of PWD is evident. This correlation should be emphasized, especially the idea of prevention of poverty, which should be realized in special programmes for young people with disabilities including especially gender aspects (more disabled women needing support).

5. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

In the drafting process of the Austrian Partnership Agreement (<http://www.oerok.gv.at/esi-fonds-at/partnerschaftsvereinbarung-stratat-2020/downloads.html>), a document overarching all EU-Funds, the principle of disability mainstreaming was established as a cross cutting issue like gender equality (1.5.2.2) and will be the basis for all operational programmes following. In this process all relevant stakeholders of disability organisations were involved. They also will be represented in the accompanying process of the implementation till 2020 of the parts of programmes concerning the integration of people with disabilities in the labour market.

Poland

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Current situation:

According to the Labour Force Survey results, for persons with disabilities (with legally confirmed disability) -

aged 18-59/64 (i.e. of previous working age in Poland):

- in 2013 employment rate reached 22.4%, activity rate 27.3%, unemployment rate 17.9%;
- in the 2nd quarter of 2014 employment rate equals 22.5%, activity rate 27.2%, while unemployment rate 17.4%;

aged 15-64 (i.e. of working age by Eurostat):

- in 2013 employment rate reached 20.9%;

aged 20-64 (i.e. as for indicator used in the Europe 2020 strategy):

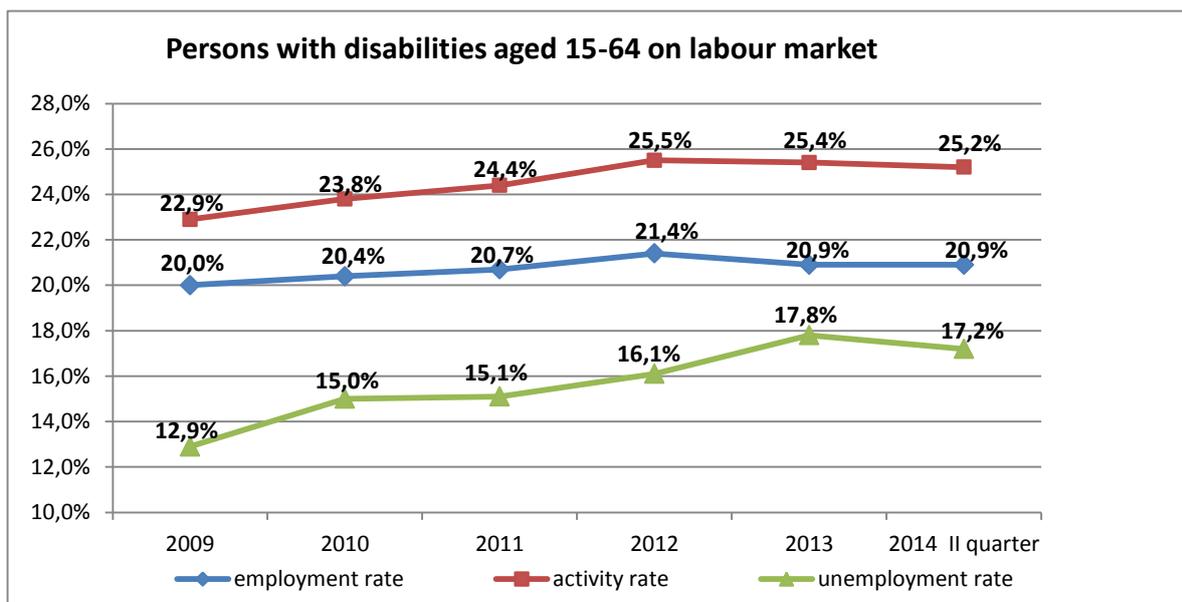
- in 2013 employment rate reached 21.3%.

Trends since 2009:

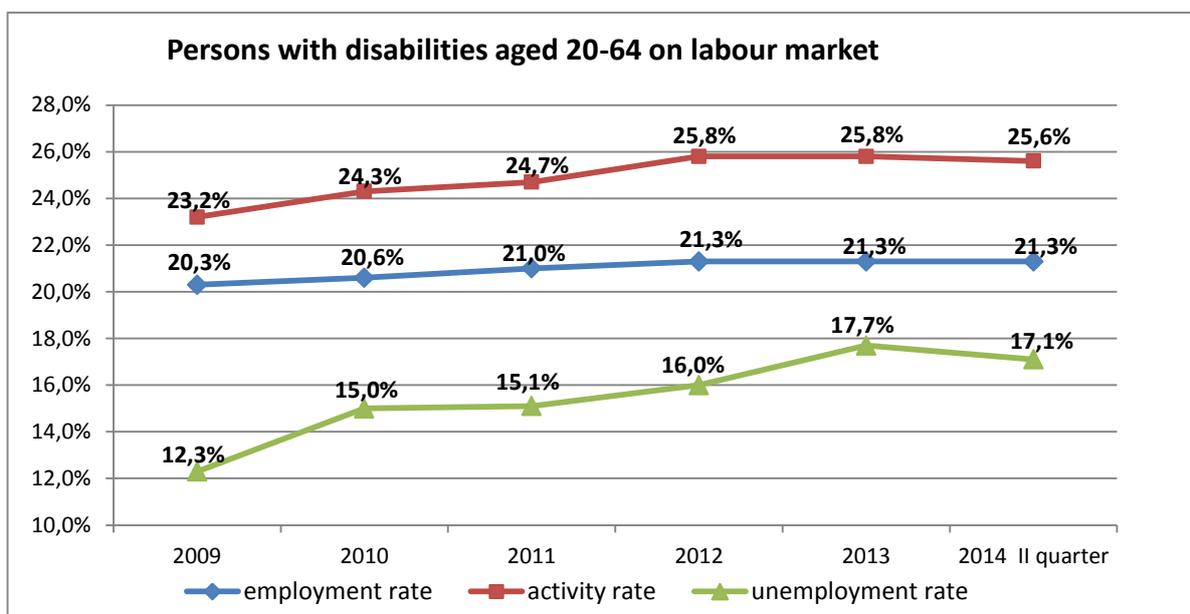
In the period 2009-2013: employment rate of persons with disabilities aged 18-59/64 increased gradually from 21.4% to 22.4% and reached a peak of 23.0% in 2012; activity rate increased gradually from 24.6% to 27.3% (a peak of 27.5% in 2012); unemployment rate was the lowest in 2009 (12.8%) but in the following years it increased slightly to 17.9% in 2013, that is connected with difficult general situation on the labour market in Poland.

It has also been observed gradually increase of employment rate for disabled persons aged 15-64 (i.e. of the working age by Eurostat) - from 20.0% in 2009 to 20.9% in 2013, similarly as for disabled persons aged 20-64 – from 20.3% in 2009 to 21.3% in 2013 (*see graphs below*).

In December 2013, in the database of the State Fund for Rehabilitation of Disabled People (SODiR PFRON) 251.9 thousand people with disabilities were registered as persons whose wages were subsidized (of which 33.8% were employed on the open labor market and 66.2% in sheltered enterprises). In 2009 this number amounted 247.2 thousand.



Source: Labour Force Survey, CSO of Poland



Source: Labour Force Survey, CSO of Poland

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Current situation:

Available data from surveys, including the household survey, show that people with disabilities are in a disproportionate risk of being poor. According to the Central Statistical Office of Poland, the percentage of households living below the poverty line in real terms in 2011 was as high as 15.4% in case of households with at least one person with disability, while for households without persons with disabilities the level amounted 10.3%. In 2012, 21.9% of households with at least one person with disability lived below the relative poverty line (vs. 14.6% in case of families without disabled members), and 9.5% below the statutory poverty line (vs. 6.4%).

The issue of poverty among people with disabilities was also examined in the report entitled “Social Diagnosis of 2013– The Objective and Subjective Quality of Life in Poland” which aim was to describe the living conditions and quality of life in Poland. In 2009, the Institute of Labour and Social Affairs estimated two approaches to the value of minimum income which serves as the poverty line for single-person households of employees: objective and subjective. The objective poverty line was estimated to be at the level of PLN 413 and the subjective poverty line at the level of PLN 1544.

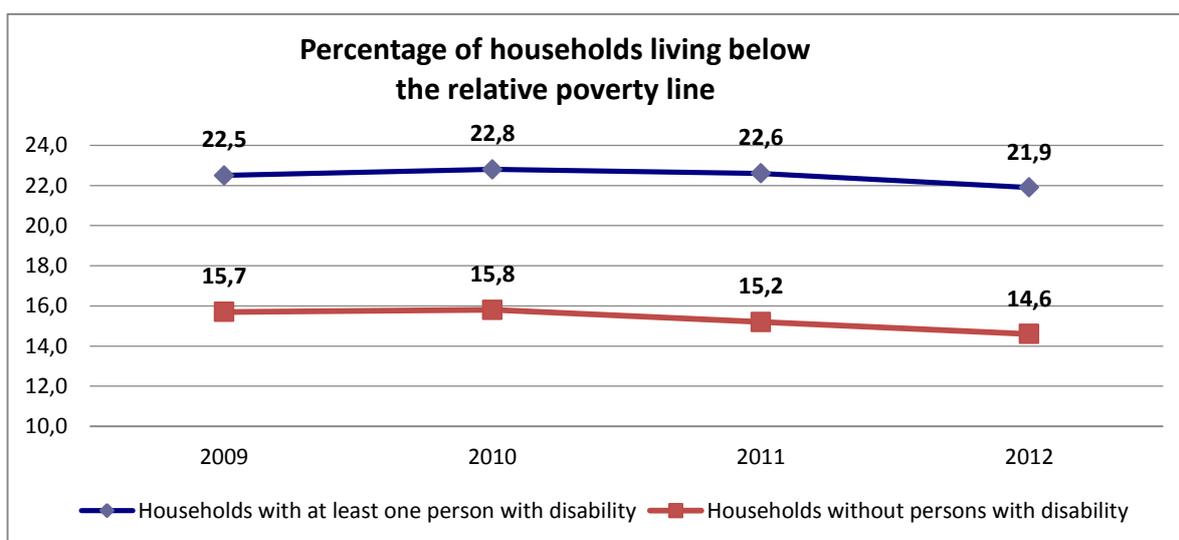
From both perspectives the percentage of households living in poverty was higher in case of households with persons with disabilities than in households without disabled members: in the objective approach it was 4.8% and 2.8% respectively and in the subjective approach 63% and 47.3% respectively. As far as the poverty gap is concerned, the situation is more ambiguous. The income gap index in the objective approach is higher in households without disabled members than in households with members with disabilities (33.7% and 26.6% respectively), whereas in the subjective approach these relations are reversed (34.5% and 37.7% respectively).

Trends since 2009:

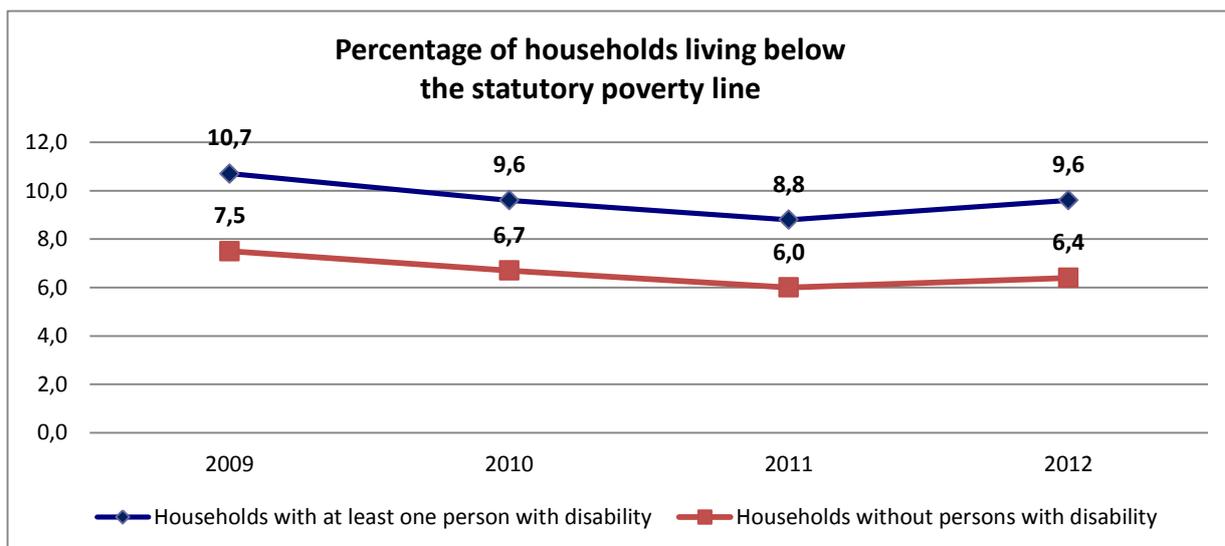
In the period of 2009 – 2012, the percentage of households with at least one person with disability living below the relative poverty line decreased from 22.5% to 21.9%. Gradual decrease was observed from 2010 to 2012 (22.8% in 2010, 22.6% in 2011 and 21.9% in 2012). In the case of households living below the statutory poverty line a gradual decrease was observed from 2009 (10.7%) to 2011 (8.8%). In 2012 the percentage increased to the level of 9.6%.

There was decrease in number of people living below the poverty line in households without persons with disabilities: from 15.7% in 2009 to 14.6% in 2012 in case of the relative poverty line and from 7.5% in 2009 to 6.4% in 2012 in case of the statutory poverty line.

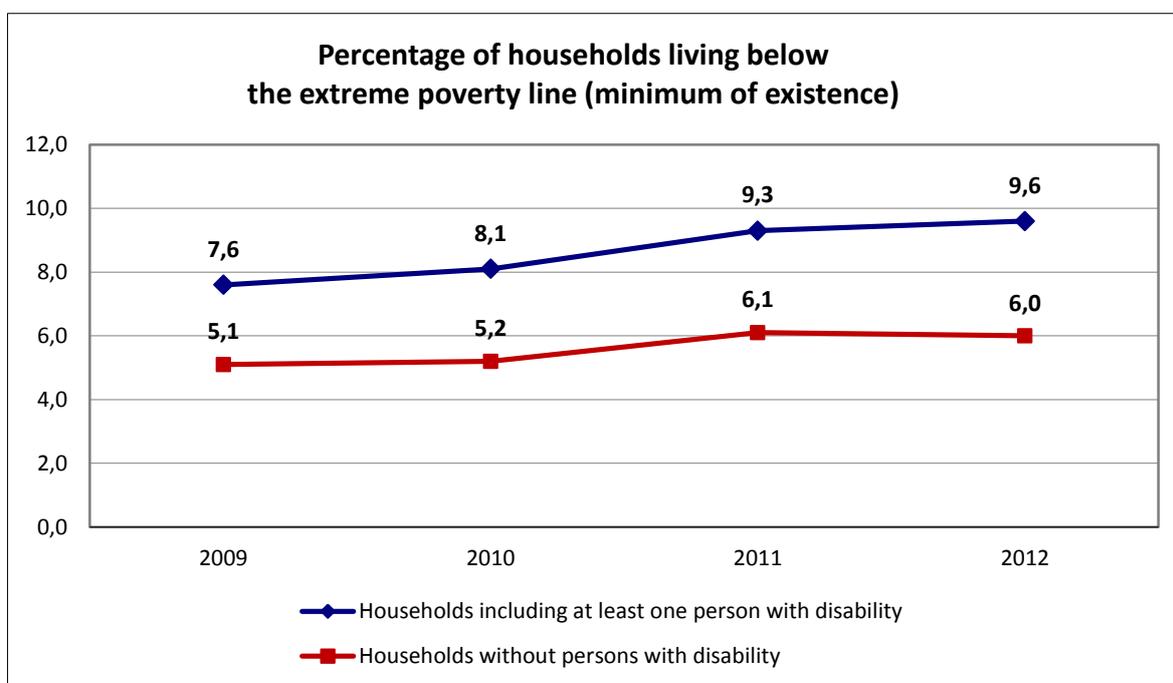
However, the number of households living below the extreme poverty line (minimum of existence) was gradually increasing for households with at least one person with disability (from 7.6% in 2009 to 9,6% in 2012) as well as for households without disabled family members (from 5.1% in 2009 to 6,0% in 2012).



Source: Household Budget Survey 2009 – 2012, CSO of Poland



Source: Household Budget Survey 2009 – 2012, CSO of Poland



Source: Household Budget Survey 2009 – 2012, CSO of Poland

Extreme poverty line (minimum of existence): The extreme poverty line is estimated by the Institute of Labour and Social Affairs (IPiSS). Extreme poverty line (also called the biological minimum) is a model of meeting the needs at a very low level. It takes into account these basic needs which can not be postponed. Otherwise it leads to biological exhaustion.

Relative poverty line: Household, including all people living there, is considered poor if the level of household spending is lower than 50% of average households expenditure.

Statutory poverty line: Household, including all people living there, is considered poor if the level of household spending is lower than the amount that allows to apply for social assistance.

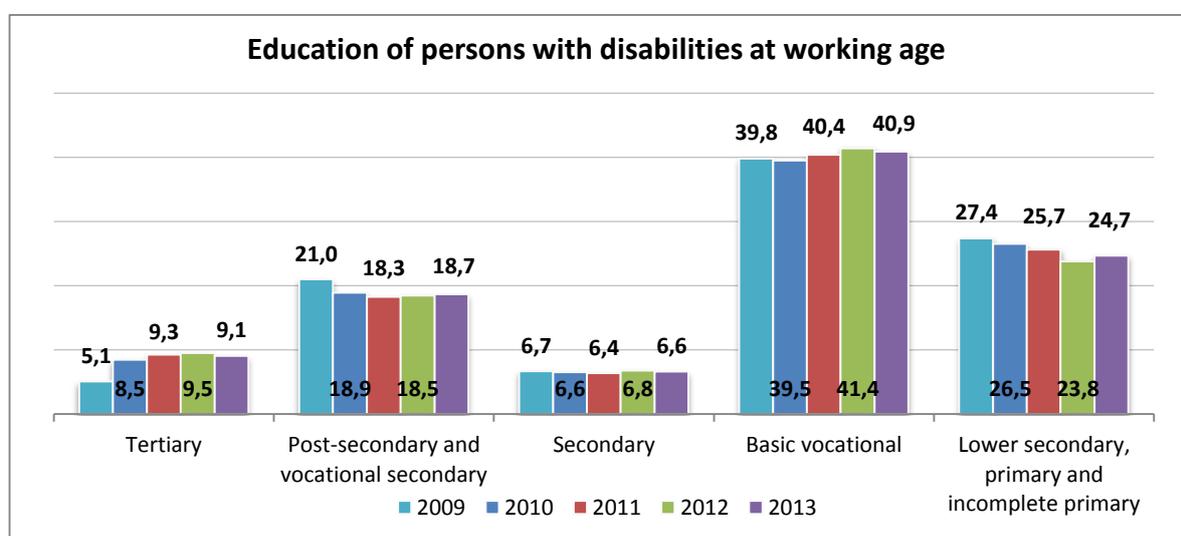
Education

Current situation:

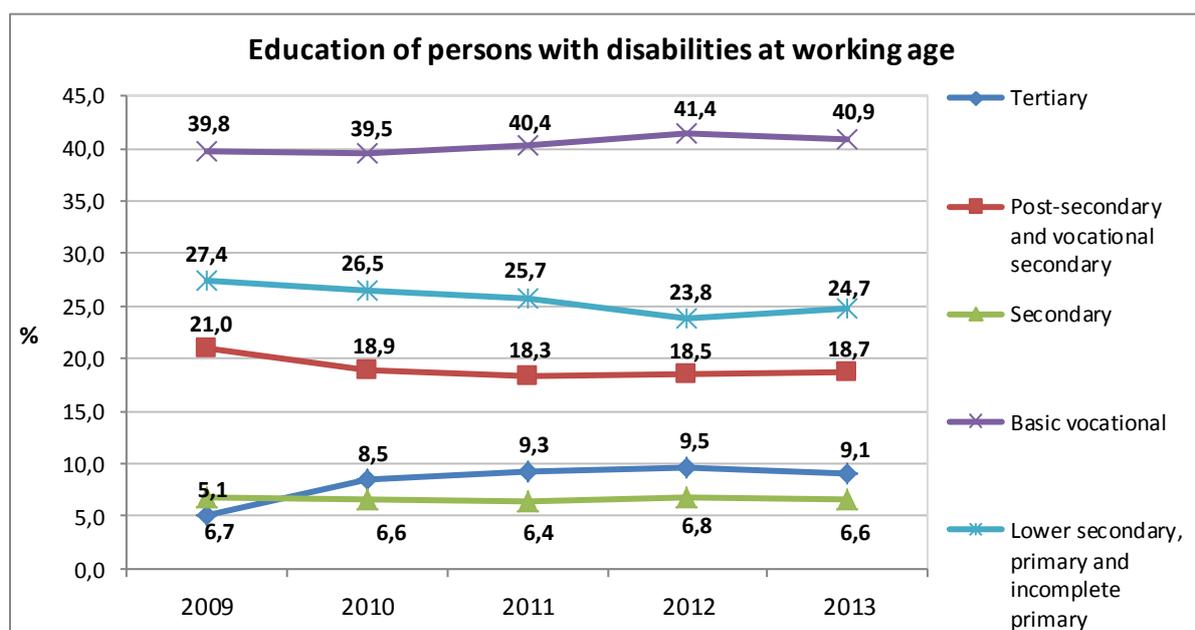
According to the LFS, in 2013 a percentage of persons with disabilities at working age, having at least general or vocational secondary level of education, reached 34.4%, having tertiary level of education – 9.1% and having basic vocational level of education – 40.9%.

Trends since 2009:

The condition of education of people with disabilities has improved in the period from 2009 to 2013. The percentage of people with disabilities at working age having tertiary level of education has increased from 5.1% to 9.1%, having basic vocational education has increased from 39.8% to 40.9% and having at least general or vocational secondary level of education increased from 32.8% to 34.4%. The percentage of persons having lower secondary level of education and below decreased from 27.4% to 24.7%.

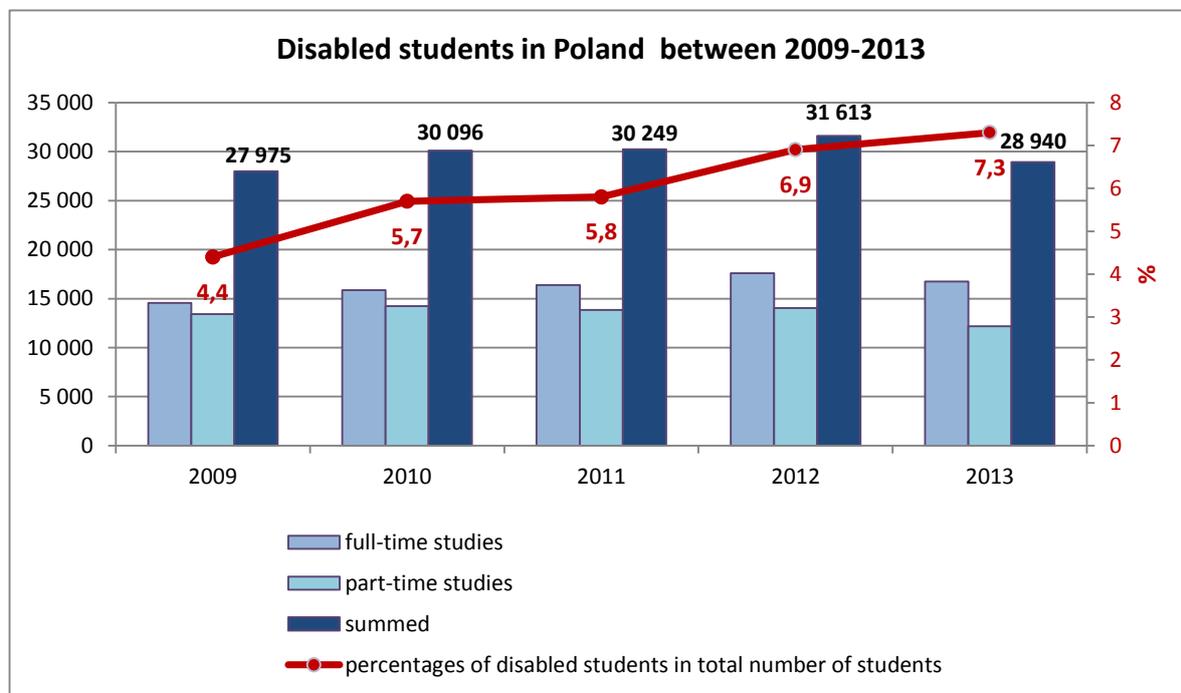


Source: Labour Force Survey, CSO of Poland



Source: Labour Force Survey, CSO of Poland

The percentage of students with disabilities in total number of students systematically increases. In 2009 there were 27 975 students with disabilities which accounted 4.4% of total number of students that year. In 2013 percentage of students with disabilities was 7.3% (28 940 disabled students).



2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

The Country Specific Recommendations of 8 July 2014 as well as Staff Working Document of 2 June 2014 addressed to Poland do not refer to disability. Some of the recommendations, such as concerning strengthening efforts to reduce youth unemployment, or continuing efforts to increase female labour market participation, in particular by taking further steps to increase the availability of affordable quality childcare and pre-school education, may have impact on persons with disabilities.

Our efforts still aim at:

- increasing the professional activation and employment rate of persons with disabilities;
- social inclusion of persons at risk of poverty by providing access to high-quality services, including support and social integration services, childcare services and care services for dependent persons (child, the disabled, the elderly), health services, educational services and housing support;
- the popularization of inclusive education of children and young people with disabilities,
- improving support for the carers of disabled persons, including for families with disabled children.

Actions in such areas have been planned in the Polish NRP 2014/2015.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

Involvement of civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities is ensured on the basis of legal regulations.

According to the Act on Vocational and Social Rehabilitation and Employment of Disabled People, the representatives of disabled people and civil society organisations are consulted within the framework of decision-making processes conducted with the participation of:

- the National Consultative Council for Disabled People (on the national level), which is an advisory body of the Government Plenipotentiary for Disabled People and acts as a platform of cooperation to the benefit of persons with disabilities between bodies of central administration, bodies of territorial self-government and non-governmental organisations. The Council can submit to the Plenipotentiary proposals of actions aimed at integration of disabled people, proposals of solutions to satisfy needs of disabled people, indicate the need to issue or amend existing legal regulations. The sessions of the Council take place at least once every quarter.
- the voluntary/community councils for disabled people which operate at the level of voivodship and powiat local self-governments. The councils are consulting and advisory bodies to the local authorities: the marshals of voivodships and starostas of powiats. Sessions of the councils take place at least once every quarter. The councils are composed of representatives of non-governmental organisations, foundations, as well as representatives of the voivode and the local self-government units (powiats and gminas) functioning in the territory of the given voivodship or powiat. The tasks of the councils include the following:
 - inspiring undertakings aimed at:
 - vocational and social integration of disabled people,
 - implementing the rights of disabled people,
 - assessing draft voivodship programmes of activities in favour of disabled people and evaluating their implementation,
 - assessing draft resolutions and programmes adopted by the voivodship assembly and powiat council from the point of view of their effects on disabled people.

The obligation of consulting employers' and employees' organisations at the law making stage is provided for in the Act on Trade Unions and the Act on Employers' Organisations. The principle of consulting draft acts and other documents with social partners and civil society organizations is also implemented by the Tripartite Commission for Social and Economic Affairs and the Joint Commission of the Government and Local Self-governments.

Various ministries (for example the Ministry of Labour and Social Policy, Ministry of Health, Ministry of National Education, Ministry of Infrastructure and Development) regulated the procedure of public consultation of the documents developed in the given ministry. All draft documents are subject to consultation.

People with disabilities participate in the various evaluation and advisory bodies, as well as in seminars, conferences, media campaigns and other actions.

An example of extensive public consultations is the "Round Table" convened by the Minister of Labour and Social Policy in April 2014. As part of these consultations, systemic solutions concerning the support for disabled people and their carers are to be agreed. The participants of the first "Round Table" meeting discussed issues of disability assessment, financial assistance, psychological help, specialist care, integration in schools and the role of families and non-governmental organizations, with the aim to submit proposals for adoption of new solutions and legislative changes. More than 100 people participated in the debate, including representatives of disabled people and of their carers, representatives of non-governmental organizations, representatives of parliamentary clubs, government administration, the Chancellery of the President of the Republic of Poland, the Commissioner for Children's Rights, the President of the State Fund for Rehabilitation of Disabled People (PFRON), researchers. The "Round Table" is divided into work groups that discuss the following issues: children and the youth, disabled adults, health and rehabilitation, medical certification, social and vocational activation.

The Human Rights Defender, acting as an independent mechanism, defined in the Art. 33.2 CRPD, has established the Commission of Experts on Persons with Disabilities which members are professionals or voluntary activists closely connected with various DPOs or work for the Office of the Human Rights Defender. The members of the Commission are strongly involved in the monitoring of the implementation of the Convention.

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

Taking into account that the Europe 2020 strategy defines the following three mutually reinforcing priorities:

- 1) smart growth – developing an economy based on knowledge and innovation,
- 2) sustainable growth – promoting a more resource efficient, greener and more competitive economy,
- 3) inclusive growth – fostering a high-employment economy delivering economic, social and territorial cohesion,

it seems to be appropriate and sufficient that a disability dimension has been included in the area of employment, education and social inclusion through special actions on various levels addressed to people with disabilities.

Facilitating economic and social participation of people with disabilities may contribute to the achievement of the Europe 2020 strategy headline targets concerning:

- raising employment rate
- reducing share of early school leavers
- raising number of people from younger generation (aged 25-34) having tertiary degree or diploma
- lowering number of people at risk of poverty or social exclusion.

Actions to achieve targets related to improving educational outcomes, participation in training and lifelong learning to enable acquiring and development of new skills throughout the lifetime are connected with both priorities: "smart growth" and "inclusive growth".

For persons with disabilities there are also very important actions concerning building of digital society, under the priority of “smart growth”.
In other areas the idea of disability mainstreaming should be widely respected.

5. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

As concerns the EU funding available in the 2014-2020 financial perspective for the implementation of the EU cohesion policy, the most important for improvement of the situation of people with disabilities will be the use of the ESF for projects designed in compliance with priorities set up in the frame of the Operational Programme Knowledge, Education, Development (the Polish abbreviation: PO WER), as well as within 16 Regional Operational Programmes. These priorities are concentrated in the following axes:

- I. Young people on the labour market
- II. Effective public policies for labour market, economy and education
- III. Higher education for the benefit of economy and development
- IV. Social innovations and transnational cooperation
- V. Support for area of health.

The main priorities concerning people with disabilities are as follows:

- Sustained integration of young people on the labour market (IP 8ii)
- Active inclusion, including with the aim to promote equal opportunities and active participation and enhance chances for employment (IP 9i)
- Implementation of proquality activities and organisational solutions in the health care system to facilitate access to affordable, sustained and high quality health care services (IP 9iv).

Planning projects under the PO WER we will take into account not only European regulations concerning enabling access for persons with disabilities to operational programmes, but also the CRPD provisions, European Disability Strategy 2010-2020 and experiences of organisations acting for the benefit of persons with disabilities.

Among activities defined in the POWER the following ones are the most important for social and vocational integration of persons with disabilities:

- 1) Support for individual and comprehensive vocational and educational activation of young people *inter alia* through measures and services of the labour market addressed to persons with disabilities, including eliminating barriers faced by persons with disabilities in finding jobs and maintenance in employment (IP 8ii).
- 2) Actions aimed at increasing the capacity of entities of public policies to implement the CRPD provisions, including activities for identification of barriers, monitoring actions for realization of the rights of persons with disabilities, formulating recommendations, improving competencies of persons involved in the process (IP 9i).
- 3) Improving quality of activities of public and nonpublic entities for the benefit of social and vocational activation of persons with disabilities, including: defining measures supporting employment of persons with disabilities and solutions for their social

inclusion; revision of disability assessment system; elaborating, testing, implementation and dissemination of standards for assistance services for persons with disabilities (IP 9i).

- 4) Support for deinstitutionalization of care for dependant persons through development of alternative forms of care (IP 9iv).

The NGOs active in the field of disability participated in the work of the Working Group for preparing the PO WER, as well as in the process of public consultation.

In January 2012 the activity of the “DP Inclusion Group 14-20” was initiated by civil society representatives to take part in consultations on the European Funds for 2014-2020. The Group gathered NGOs’ and academic experts on disability and played an advocacy role of interest of persons with disabilities in the new EU financial perspective. In consultation with the Group, the Ministry of Infrastructure and Development elaborated document “Agenda for activities in favour of equality of opportunities and nondiscrimination for persons with disabilities in the frame of the EU Funds for 2014-2020”, which was sent to the European Commission on 12 August 2014.

Romania

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Current situation:

According to statistical data published on the National Authority for Persons with Disabilities website, collected on 31 December 2014 the total number of disabled persons employed is only 30,556, ie 4.6% of the total adults with disabilities not institutionalized and 9.4% of all adults with disabilities between 18 and 65 years (323.429). Related to the number of disabled people of working age (aged 18-60 years) is 207.886, the share of people employed is 14.69%.

Trends since 2009:

In Romania, despite remarkable progress in recent years, the employment situation of people with disabilities is still below the European level and requires increased efforts towards market opportunities open labor. In the last ten years the number of disabled persons registered almost doubled, but the number of employed increased by 3 times. This indicates beneficial results of the efforts that have been made towards a better identification of disability and work capacity assessment. The highest increase was recorded in 2007, echoing the legislative measures to stimulate labor market participation since 2006. In recent years there has been a positive trend in the employment rate of people with disabilities. The number of people with disabilities increased from 12.4% in 2009 to 14.69% in 2014. This was generated by the payroll tax relief for people with severe and accentuated disabilities and also the preserving and cumulation of social benefits (the indemnity and the complementary personal budget) for persons with disabilities in employment, as covered by the special law and the Romanian Fiscal Code).

Education

Current situation:

According to data from the National Authority for Child Protection and Adoption, at the end of 2013, only 56.2% of children with disabilities benefited from educational services in various forms (mass education, special education, integrated special education).

Trends since 2009:

Analysis of data collected by the National Statistics Institute on school attendance shows a decrease extensive special education units and university of the student in these schools, especially after 2000, following the policy of forced generalization of integrating children with disabilities in mainstream education. After reorganization measures to support educational services for children with disabilities since 2005 has been a relatively constant flow of children from special schools, which shows a tendency to self-preservation segregated special education system. Regarding children with disabilities integrated into mainstream education, Ministry of Education annually collects statistics on their number. Information in recent years shows a steady growth but slow the number of students enrolled in mainstream education educational support services: 17 388 students in 2012/2013. At the same time, significant effects of pupils with SEN in mainstream schools do not receive educational support services, most likely due to the lack of support staff. Data on participation of people

with disabilities in higher education are not collected at national level, but studies in education believes that participation in this category is very low.

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Current situation:

On 31 December 2014 the total number of people with disabilities, was 737.885 people. Of these, 97.7% (720.683 people) are in the care of families and / or independent living (no institutionalized) and 2.3% (17.202 people) are in public residential care institutions for adults with disabilities (institutionalized) coordinated by the National Authority for Persons with Disabilities.

- Number of public social institutions for adults with disabilities on 31 December 2014 is 408 (392 to 30 September 2013), of which 352 residential (335 to 30 September 2013) and 56 non-residential – day centers (57 to 30 September 2013).
- One third of residential institutions are centers of care and support, with 6.270 beneficiaries, namely 36.45% of the total number of 17.202 people in residential institutions.
- A significant number of beneficiaries exist in the 60 neuropsychiatric recovery and rehabilitation centers, namely 5.701 people.

Non-institutionalized persons with disabilities are given a number of social assistance benefits as follows: social benefits (monthly allowance for adults with serious and severe disabilities, complementary personal monthly budget for children / adults with disabilities severe, or medium, including children with disabilities by type HIV / AIDS benefit from state allowance and the amount provided under the law, increased by 100%. People with HIV or AIDS, children and adults, are entitled to an allowance of food intended to ensure proper nutritional supplement specialist treatment with antiretroviral drugs. People with severe disabilities may benefit from a personal assistant or, where appropriate, the monthly allowance paid by local government; In adults with severe visual disability indemnity benefits accompanying it. Trends since 2009:

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

The National Strategy "A barrier-free society for people with disabilities" is linked to the principles and obligations arising from the ratification of the UN Convention on the Rights of Persons with Disabilities. The UN Convention provides a framework for policy making and modernization of practices, tools and support methods in the community, leading to a barrier-free participation of people with disabilities in society, and to a dignified and fulfilled living in the community.

The purpose of the Strategy is to enhance life quality of people with disabilities and to ensure full participation of people with disabilities in society. Achieving this goal will only be possible when every field, process or activity of society, having an impact on the quality of every individual life and on the community progress, will be reformed.

The National Strategy is designed to ensure coherent and solid policies at sectorial level, between different levels and government mechanisms and also their correlation with the objectives established by international treaties and conventions to which Romania is party. This document is pending approval by Government Decision.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

For activities related to the protection and promotion of the rights of disabled persons, the National Authority for Persons with Disabilities and the local and central public administration authorities maintain dialogue, collaboration and partnership relationships with the non-governmental organizations of persons with disabilities or which represent their interests, and with the cult institutions recognized by law with activity in this field.

The National Strategy "A barrier-free society for people with disabilities" was under debate within the Council for the analysis of the problems of disabled persons, which is the advisory body attached to the National Authority for Persons with Disabilities, formed by representatives of central public administration authorities as well as representatives of civil society. Following debates, the Council issued a favorable advisory opinion.

Also, the legislative changes in the field are made in consultation with the civil society, taking into account all the proposals made by NGOs operating in the field of disability and persons with disabilities. In addition, the National Council on Disability in Romania signed a cooperation protocol with the MoLFSPE, aiming at enhancing the cooperation between civil society and the Ministry on amending legal acts in the field of social work.

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

The National Authority for Persons with Disabilities has taken notice of the comprehensive inclusion of the disability dimensions in all EU strategies and is aware of the key challenge of mainstreaming disability in all national policies, aiming for full implementation for UNCRPD. Nevertheless, the need for accessibility to public and private goods and services and the developing of the concept of universal design in cooperation with local authorities has been reaffirmed as a priority for the National Authority for Persons with Disabilities, together with the setting of a specific objective for promoting accessibility design and implementation of measures under the National Plan of Accessibility.

In developing the national strategy in the field, were taken into account the provisions of the EU Strategy 2010-2020 for people with disabilities: a renewed commitment to a barrier-free Europe, comprehensive strategy to create, by 2020, a barrier-free Europe for disability and the UN Convention on the Rights of Persons with Disabilities reference document should be considered in the development of national laws on disability.

The overall objective of future national strategies in this area is to give people with disabilities the ability to enjoy their full rights and benefit fully from participation in

European social and economic life. The strategy is based on removing barriers, accessibility is a precondition for participation in social and economic life.

The draft strategy takes in its essential details of the proposed vision of European Disability Strategy 2010 - 2020 "A renewed commitment to a barrier-free Europe", which in turn leverages the combined potential of the Charter of Fundamental Rights of the European Union, the Treaty on the Functioning EU and the United Nations Convention on the rights of Persons with disabilities ".

Slovenia

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Current situation:

- During the economic crisis, the numbers of unemployed persons with disabilities grew somewhat slower than the number of all unemployed persons,
- In the last two years, an upward trend of the number of unemployed persons with disabilities is slowly stopping, in the year 2014 the number even decreased.
- Nevertheless, the number of employment of unemployed persons with disabilities is constantly increasing.

Trends since 2009:

	2009	2010	2011	2012	2013
The number of unemployed persons with disabilities	13.132	14.920	16.873	17.454	17.936
The number of employment of unemployed persons with disabilities	1.629	1.618	2.107	2.694	2.937

Education

Current situation and trends in education since 2009:

Type / School year	2010/11		2011/12		2012/13		2013/14		2014/15	
	secti. pupils		secti. pupils		secti. pupils		secti. pupils		secti. pupils	
Elementary school (independent / branches)	8.381	159.618	8.336	159.694	8.283	161.023	8.350	163.163	8.406	167.361
Elementary school for special needs (independent)	310	1.833	314	1.940	308	2.018	315	2.070	312	2.123
Elementary school for special needs at Elementary school	78	410	82	437	80	459	78	462	82	489
Institutions for children with special	95	488	93	473	93	497	100	544	107	599

needs /El. sch.)												
TOTAL	8.864	162.349	8.825	162.544	8.764	163.997	8.843	166.239	8.907	170.572		

SECONDARY SCHOOLS

	209/10		2010/11		2011/12		2012/13		2013/14		2014/15	
Mild intellectual disabilities marginally intelligent	189	185,3%	186	202,2%	157	160,2%	156	4,4%	144	3,8%	120	3,1%
Deaf and hard of hearing	102	100,0%	92	100,0%	98	100,0%	105	3,0%	93	2,4%	83	2,2%
Speech and language disorders	103	101,0%	80	87,0%	117	119,4%	172	4,9%	230	6,0%	130	3,4%
Visually impaired	30	29,4%	32	34,8%	34	34,7%	24	0,7%	31	0,8%	31	0,8%
Physically disabled	111	108,8%	98	106,5%	131	133,7%	144	4,0%	157	4,1%	124	3,3%
Emotional and behavioural disorders	15	14,7%	22	23,9%	44	44,9%	45	1,3%	54	1,4%	62	1,6%
Long-term illness	412	103,9%	434	471,7%	549	560,2%	665	18,9%	722	18,9%	606	15,9%
Specific learning disabilities	1555	1524,5%	1604	1743,5%	1822	1859,2%	2076	59,0%	2336	61,2%	2130	55,8%
Multiple deficits	163	159,8%	232	252,2%	207	211,2%	133	3,8%	50	1,3%	510	13,4%
Autistic disorder											19	0,5%
TOTAL	2680	2627%	2780	3002%	3159	3223%	3520	100,0%	3817	100,0%	3815	100,0%

* Data from schools for the year 2014/15 are collected on 30 September 2014

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Social protection system and poverty – key messages:

- Slovenia - low risk of poverty rate. Latest data (from October 2014) – risk of poverty rate in Slovenia - 14, 5%.
- 2010 - new social legislation – focus on transparency, efficiency and better targeting of benefits.

- 2012 evaluation of legislation
- beginning 2014 and September 2014 amendments of social legislation has been put into force – focus on most deprived groups.
- Legislation and changes - discussed with relevant stakeholders – social partners and other stakeholders.
- **In future** - introduction of e-social card which simplify the procedure of obtaining the social benefits/transfers,
- **In future** - using European social funds for introducing additional activation measures (i.e. social activation programmes for most deprived groups).

Additional info:

Slovenia still has relatively risk of poverty rate. Latest data (from October 2014) shows that poverty rate in Slovenia has been 14,5%. Even though poverty rate is still relatively low and under the European average, the rate itself has been increasing during last few years mostly due to the crisis.

Slovenia has introduced in 2010 a new social legislation which strives toward transparency and efficiency but also by focusing the benefits towards categories who needs them the most. After couple of years of the implementation of the new system the evaluation of the new system has been prepared and upon conclusion of the evaluation few changes has been introduced. It has to be mentioned that the introduction of new legislation has coincide co with the beginning of the crisis. Therefore amendments of the legislation are focused towards the most deprived groups (single and large families and older people).

Furthermore one of the major tasks of the government in the near future is introduction of e-social card which simplify the procedure of obtaining the social benefits/transfers into a great extend. There has been also been an extensive preparation for using European social funds for combating poverty mostly with activation measures (such as social activation programmes).

Note: number of persons receiving financial social assistance is constantly rising.

Additional info:

Adopted austerity measures have been carefully reconsidered not to affect the most deprived categories of people. Most of austerity measures on the social field have been focused on the recipients of transfers with highest income – i.e. temporally erasing entitlement for two highest ranked groups for child benefit, decreasing it for 10% for 2 middle ranked groups on the scale but not changing the amount of the benefit for the lowest groups.

Statistic clearly shows that social transfers in Slovenia play important part for reducing poverty. According to the most recent data provided by the Statistic office of Slovenia risk of poverty rate without social transfers would be 42, 3 % (including pensions).

It has to be pointed out that also during the crisis and austerity measures inequality of income distribution (Gini coefficient) remains very low 24, 4%- one of the lowest in Europe. Furthermore changes of the new legislation are focused towards most deprived groups.

The basis for calculation of financial social assistance for single parents' families and large families and elderly has been increased. And to improve the take up of protection allowance we raised the limit of income/assets (salary/property) for the entitlement of the allowance.

With all possible measures current government will try to provide necessary means to retain the social protection schemes on the level which is needed. The approach does not only encompassed so called passive measures (social transfers) but we intent to develop also active measures to prevent social exclusion especially through European social found.

SITUATION ON MENTAL HEALTH AREA

Slovenia has been endeavored for establishing conditions for deinstitutionalisation during last few years: in 2008 we have gained first Mental Health law which has set up wide supportive state system to accelerate safe and monitored transfer of people with mental health problems from institutions to the local communities. The new system sets up regional network of coordinators, employed in state centres for social work, which help and support people with mental health problems to re-integrate into domestic local environment as soon as possible after the medical psychiatric treatment.

The main intention of support is to accelerate reintegration process, which starts between release process, run by the hospital and close cooperation with coordinator, through carefully planned activities and providers in local community to assure safe, individualized, effective and comprehensive care.

Since 1990 Slovenia has been supported development of NGO sector which represents through many good practices good base for realising Slovenia's efforts to strengthen community-based approach and therefore to assure more individualised and personalised care for people with mental health problems of all age-groups.

Through Operational plan we also intend to strengthen and widen already existed network of community based care. We are going to create range of activities to link programmes to assure comprehensive, integrated and qualitative treatment, adjusted to individual's needs, expectations and social/working capabilities.

General overview about institutions on the field of mental health:

In Slovenia, we have two wide areas, devoted to the:

- Group of people with mental health problems
- Group of people with mental disabilities

...and various types of institutions, taking care for them:

- Psychiatric hospitals – 5 – among one also have special unit for forensic psychiatry patients
- Special residential institutions for people for mental health problems – 3 (615 residents)
- Special residential institutions for people with mental disabilities, combined with mental health problems and other disabilities – 2 (905 residents)
- Combined homes for elderly people, who also suffer for mental health problems – 6 (1.954 old people and 402 under 65 years)

- Special residential – vocational institutions for children with mental disabilities, combined with mental health problems and other disabilities – 5 (431 children and 795 adults)

...and residential institutions - homes, which through various (modern) concepts take care for old people – 49 (15.939)

So, in Slovenia, we have **2.746 residents** in specialized institutions for children and adults, suffering from mental health problems and/or mental disabilities.

At this moment, **Slovenia has on the mental health field various types of community based programmes** with common aim to assure as much as possible independent life, organised by NGO and institutions (which are conscious of negative effects of institutionalization):

- Residential capacities for adults, established by NGOs – 46 units for 230 residents
- Residential institutions – 5 established by the state – 36 residential units for approximately 200 residents

Other programmes, co-financed by the state on the mental health field carried by NGOs:

- Occupational day centres, established by NGO – 11 units – 118 programme users
- Occupational day centres, established by the state – 18 units – 585 programme users
- Information offices and counseling – 3 units – 1.574 programme users
- Phone counseling - 10.744 programme users

...for following target groups:

- People with long term mental health problems, who need coherent care
- People with mental health crises with psychiatric diagnosis or various types

Slovenian Social Security act enables other types of un-institutionalized programmes, available also to the people suffering from mental health problems and/or mental disabilities and other handicaps:

- Personal assistance – 705 users
- Organised help at home for special target groups, defined by law) – 9.425 users
- Family assistant (special type of employment, usually used for care for severe handicapped children and youth) – 745 users

Parallel, since 1990, we have been trying to enlarge network of NGO preventive and curative orientated programmes on the area of mental health to prevent violence, addiction, to assure psychosocial support for children, youth and their families, crises and counselling centres, to enlarge social inclusion for Roma, to diminish social distress, to help victims of trafficking... in 2013, Slovenia has co-financed (47%): 1.136 new employments in 141 various programmes in which 7.604 volunteers were included to help 203.954 participants. Parallel, there is registered over 39.000 phone counseling and over 2.500 e-mail activities. We have to stress 15.509 children and adults, who benefited from the programme activities, paid by the state.

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

- Please see Appendix 1, above; legal Acts and Strategic documents for protection of Persons with disabilities.

Education:

- Changes in legislation (Placement of Children with Special Needs Act, 2011) that includes continuous assistance and professional support to children at risk for educational failure;
- The White Paper on Education in Slovenia was adopted in 2011;
- Teacher education (compulsory courses for future teachers, changes in SEN education, permanent education for school teams, education of heads etc.);
- Evaluation of changes in practice.

A model of inclusion teams has been developed for schools - the model was implemented in 24 schools from all parts of the country, for 190 members of the ST, support from 9 IT (32 members)

- several analyses with recommendations for the implementation of the Concept,
- professional trainings,
- computer program for school teams,
- conferences,
- e-materials and publications related to assessment, intervention and team co-creation of support,
- compulsory course on SEN at the Faculty of Education for all students.

The transition model - Program of additional training of adults Cirius Vipava and
The transition model - Program of additional training of adults Cirius Kamnik:

The purpose of the operation is to develop an innovative model of transition counseling and training for persons with special needs, for which is rational to include them in a systematic institutional system of education and training. Development program will include the basic elements of design, management and implementation of additional professional training for persons with multiple deficits as part of their continuing education and partial or occasional employment.

With additional training, persons will get acquire additional skills, required and permanent skills and skills for more independent and equal life in the community. They will obtain educational, social and work skills, and will become more independent and accountable. Through training will become more socially adaptable and be able to develop a positive attitude towards life and will obtain work skills and knowledge that will be used in the process of integration into the labor market and the local community.

In greater extent the process of training and education includes the implementation of new knowledge of persons in the local community, with seeking new opportunities to greater independence and responsibility and fuller life.

The project contributes significantly to the strengthening of social activation of persons considered as vulnerable or disadvantaged in the labor market respectively in society.

Duration: 08.12.2013 - 08.31.2015

Successful integration of children and youth with special needs in education for the period 2008-2011

The purpose of the call was to develop implementing the curriculum, forms and methods of education, which will be tailored to the needs of this population, and not only at the level of the elementary and secondary schools. For students with special needs, it was necessary to develop a form of training that will clearly focused on training for independent living and integration in the labor.

- I. topic: Expert basis for the further development and implementation of the concept of work "Learning difficulties in elementary school"

The main objectives of the project: development and testing of professional basis for the further development and implementation of the concept of work "learning difficulties in elementary school." The project was divided into three sub-projects, covering 3 different aspects of detection and systematic assistance to children with special needs at different levels: co-creating learning and support, recognition and identification of pupils with learning difficulties and develop strategies for working with students with learning disabilities.

Duration: 22.8. 2008 - 31.8.2011

- II. topic: "School of equal opportunities"

The purpose of the project was the introduction of some new strategies and ways and forms of education of children and youth with special needs with the help of 21 subprojects in all areas of public tender.

The overall objective of the project was to develop a variety of activities and methods of work with students with special needs (therapy using different types of animals, music therapy, specific therapies ...), new forms and ways of implementing a training program for life and work, a new strategy of working with students with disabilities who are enrolled in upper secondary programs, pre-school in the field of communication disorders, and in practice to introduce solutions for successful inclusion.

Duration: 1.6.2009 - 31.8.2011

Infrastructure and technological potential for the integration of persons with disabilities in the educational system

The purpose of the operation

The objectives of the project are: inventory and preparation of expertise and methodological bases for the analysis of the properties of educational infrastructure and technological support

for different types of special needs. How to classify the suitability of facilities for the integration of specific groups of persons with special needs and what accessories are available to provide individual development of children with special needs.

Duration: 15.02.2013 - 08.31.2015

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

Republic of Slovenia ratified UN CRPD in 2008. The civil society and DPOs are increasingly able to take part in development, implementation and monitoring of policies that impact persons with disabilities. It does take a proactive approach on the part of DPOs; they are invited to offer their comments, ideas and suggestions in the legislative process. Resolution on Legislative Regulation binds the government to include NGOs in the law making procedure. In practice we can submit our feedback on bill proposals, comment on various national strategies, Disability Action Plan, Partnership Agreement, Operational Programmes, on the implementation of UN CRPD and such.

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

National Council of disabled people's organisation of Slovenia suggests:

The European platform against poverty and social exclusion appears to address these issues and along with the European Semester and Digital Agenda seems to have comprehensively included disability in EU strategies. The objective and key challenge is to mainstream disability and in this context Europe 2020 strategy should observe European Disability Strategy 2010-2020, aiming for full implementation for UNCRPD.

As far as concrete measures go, the six countries with lowest activity gap (difference in activity rates between persons with and without disabilities aged 20-64 who participate on the labour market, employed or unemployed, in all Member States), namely Germany, Luxembourg, Austria, Slovenia, Italy and France, are countries with well developed quota schemes in favor of persons with disabilities so it stands to reason that quota schemes would bring about a lower activity gap and as a consequence lower unemployment and poverty rate respectively in other Member States as well.

5. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

Slovenia will use EU funding to support and accelerate deinstitutionalization process (regarding the principles of mainstreaming and inclusion) to assure equal opportunities and possibility to choose for people with disabilities, regardless to individual's nature or/and extend of impairment/illness on several levels:

- Widening community based programs network on local level considering equal availability, variability, accessibility and quality of services

- Downsizing the number of beds in various institutions – also through financial and staff resources transforming
- Strengthening communication/coordination paths between various stakeholders on national, regional and local level

Therefore, we are going to realize following aims:

- Development of coherent model of social activation
- Empowerment of various target groups to approach labor market
- Prevention of social exclusion and reducing health inequality
- Pilot testing of new approaches for more effective integration of services for long term care
- Quality improvement of community based care
- Reinforcement of Social entrepreneurship and vocational participation in social enterprises to easy (access towards) employment
- Investing into local strategy development
- Reinforcement of available, sustainable, highly qualitative community services at acceptable prices – through improvement and enlargement of existing structure

We are going to keep the same amount of founding for already existing programs for persons with disabilities. And we will use the opportunity of ESF long-term founding to plan national resources to keep established new networks, which are going to be developed and tested by NGOs and other involved stakeholders.

Education:

In the context of the proposed operational program 2014-2020 the public experts and the population of students with special needs in the context of Educational Institutions' will be included within the pursuit of objectives in the field of raising competences, especially all forms of literacy. A special program will be pursued objectives in the field of monitoring and evaluating the quality of work in this area. Participation of NGOs will be provided in the forms, fields and areas where Educational Institutions' haven't developed their activities by now.

Finland

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Current situation:

Finland does not compile statistics on the employment of persons with disabilities or keep an employment register of them. Obtaining information on the employment of persons with disabilities would require a specific study that would make use of the information available from different registers. Such a study has not been made during the reporting period.

Education

Current situation:

The Finnish basic education system has been based on the philosophy of neighbourhood school for a long time. Basic education is the same for all. Children are supported individually so that they can successfully complete their basic education.

Trends since 2009:

Amendments to the National Core Curricula for pre-primary and basic education (2010) include a new systematic way of organizing support. The focus is on earliest possible support in order to prevent the emergence and growth of problems. Support for growth, learning and school attendance is shaped into three categories: general support, intensified support and special support. The support is a collaborative effort involving all teachers, the pupil and his/her parent and, where needed, pupil welfare personnel.

After the legislation amendment in 2011, the share of pupils having received intensified support has grown yearly. The number of pupils having received special support has gone down every year. These data derive from Statistics Finland's education statistics.

The number of students in vocational education leading to a qualification having received special education has grown at least from 2004 onwards, when the production of the statistics was started. 15 per cent of all students in vocational education for young people (curriculum-based basic vocational education provided by educational institutions) were special education students in 2012. Most special education students (86%) in vocational education for young people were studying in vocational education institutions. Seventy-nine per cent of these special education students were studying in the same groups (integrated) with other students. Thirteen per cent of special education students attended special vocational education institutions and around one per cent other educational institutions providing vocational education.

There are a few special educational institutions that are responsible for providing education and training for students with the most severe disabilities. They also provide preparatory and rehabilitative education and guidance for students who need practice in basic skills before starting vocational studies, or who find it too challenging to complete a qualification. These institutions have a total of about 4480 students.

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Current situation:

In Finland everyone is entitled to the protection of basic income. Work is the primary source of income and the means to influence one's economic situation. Social security safeguards welfare and income when work is not possible for one reason or another. In practice, social security is a very important source of income and a means of support for social inclusion in particular for persons with severe disabilities.

The Finnish legislation on social security does not, as a rule, make a distinction between people on the basis of disability, but all people covered by the scope of application of the relevant laws have the same rights and responsibilities. As regards the compensations and benefits payable under the social security system the individual qualities and circumstances of persons with disabilities are taken into account, in the same way as in regard to others. The granting of benefits securing income is not based on disability, but are granted to those in need of income security benefits when the requirements laid down in the law are met. Persons with disabilities are equally entitled to these benefits. In order to guarantee legal safety, people have always a right to appeal a decision made by an insurance institution to the relevant appeal body.

The Finnish pension system chiefly consists of two statutory pension schemes: the earnings-related pension scheme and the national pension scheme, which are supplemented by the guarantee pension. In addition, there are certain special laws, e.g. the acts on motor liability insurance, accident insurance and military injuries, which together guarantee pension provision for people resident in Finland for old age, disability for work and the death of family provider.

According to the acts on earnings-related pensions an employee is entitled to a full disability pension if it has been assessed that his or her work ability is weakened due to an illness, handicap or injury by at least three fifths for an uninterrupted minimum period of one year, and to a partial disability pension if it has been assessed that his or her work ability is weakened for reasons referred to above by two fifths for an uninterrupted minimum period of one year. A disability pension can be granted until further notice or for a fixed period of time. A fixed-term disability pension is called cash rehabilitation benefit. Cash rehabilitation benefit is granted to promote the applicant's rehabilitation for as long a period as the applicant is considered to be disabled for work.

In addition to the universal social security the benefits for persons with chronic illness or disabilities comprise disability allowance, care allowance for pensioners, and disability allowance for persons under 16 years of age. These facilitate the coping of persons with chronic illness or disabilities in everyday life, their participation in work and their studies. The disability allowance and care allowance are graded according to the person's need for support.

In Finland the principle is that both the public services and the living environment are designed to be suitable and accessible for all. In case the public services are not enough, special services such as housing, assistive devices, transportation and interpretation services are provided. The aim is to support the work ability, functional capacity and own initiative of

persons with disabilities. The services and support provided by the local authorities facilitate the coping of persons with disabilities with their daily routines.

The primary responsibility for organising social and health care services is vested in the local authorities and joint municipal authorities. Special social services for persons with disabilities are provided on the basis of the Services and Assistance for the Disabled Act (388/1987) and the Act on Special Care for Mentally Handicapped Persons (519/1977). The proportion of the clients of special services for persons with disabilities is 2 per cent of the population, i.e. roughly 110,000 persons. Approximately 25,000 of them are persons with intellectual disabilities. The services supporting living in one's own home have most clients. The largest services in terms of the number of recipients are transportation services, individual assistance, and alterations to homes and the equipment and devices needed at home for persons with severe disabilities.

At the end of 2013, 1,330 persons were cared for in long-term care institutions for persons with intellectual disabilities. The number of persons with intellectual disabilities living in housing service units for persons with intellectual disabilities providing 24-hour service has increased. Those cared for by family members are granted support for informal care. (National Institute for Health and Welfare, Statistical yearbook on social welfare and health care 2013).

The Health Care Act applied to the entire population contains provisions not only on health services but also on medical rehabilitation services. Provisions on the assistive device services included in medical rehabilitation are laid down by a specific decree.

The Social Insurance Institution of Finland (Kela) has a statutory responsibility to organise vocational rehabilitation to support or improve a person's work ability and ability to earn a living or to prevent disability to work, if their weakening has been caused by a diagnosed illness, handicap or injury or if this is considered to essentially weaken the insured person's work or studying ability and ability to earn a living in the next few years. Kela has a statutory responsibility to organise medical rehabilitation for persons with disabilities if the requirements provided for in the law are met. Kela also provides assistive devices related to work and studies as well as pays compensation for rehabilitative psychotherapy (<http://www.kela.fi/web/en/rehabilitation>). The Institution also grants disability benefits (<http://www.kela.fi/web/en/disability>).

Trends since 2009:

The Act on Guarantee Pension (703/2010) entered into force on 1 March 2011. The purpose of the guarantee pension is to secure income for those pension recipients resident in Finland whose pension otherwise is not enough to provide a reasonable income by paying them a pension from state funds. The maximum guarantee pension is EUR 746,57 a month (at the index level of 2015).

As regards the national pension scheme it has been since 1999 possible to leave a disability pension dormant. The act to promote the return to work of persons in receipt of disability pension, which entered into force at the beginning of 2010, extended the option to have the disability pension dormant to also apply to the disability pensions under the acts on earnings-related pensions and to the fixed-term disability pensions under the National Pensions Act. The said act is also applied to the guarantee pensions granted in the form of a disability

pension. At the beginning of 2014 the period of validity of the act was extended to the end of 2016.

The provisions in force thus make it possible for a recipient of disability pension to temporarily take up a job without a fear of losing the disability pension or that the full disability pension would be turned into a partial disability pension. When the disability pension is dormant the possibility of having a job is supported by paying the person the maximum disability allowance in accordance with the Disability Benefits Act, amounting to EUR 422.06 a month (at the index level of 2015).

Veterans' supplement has been payable since September 2010. Its amount was raised at the beginning of 2013 by EUR 50, and so its amount is now EUR 105.51 (index level of 2015).

The conditions for access to the vocational rehabilitation organised by the Social Insurance Institution of Finland were adjusted at the beginning of 2014 to the effect that a greater number of people of working age than before can obtain vocational rehabilitation at a sufficiently early stage. The purpose of the amendment is to prevent retirement on a disability pension by means of vocational rehabilitation.

As from 1 October 2015 a rehabilitee can receive a partial rehabilitation allowance from the Social Insurance Institution for those days of rehabilitation when he or she works on part-time basis besides participating in rehabilitation. The aim of rehabilitation is staying on at work, return to work or access to work.

The most recent amendment to the Services and Assistance for the Disabled Act was made in 2009, when persons with severe disabilities were given, with certain limitations, a subjective right to personal assistance. The Act was also supplemented by provisions on examining a person's need for care, drawing up a service plan and processing of matters regarding services without unnecessary delay.

The number of service recipients covered by the subjective right under the Services and Assistance for the Disabled Act has been on the increase, and so has the expenditure on the services. Measured in the numbers of clients the type of disability service that has grown most is personal assistance to persons with severe disabilities. The number of recipients of this service increased by 130.3 per cent from 2009 to 2013. The institutional care for persons with intellectual disabilities has up to now been replaced mainly by 24-hour housing services. The number of the recipients of 24-hour housing services for persons with intellectual services increased by 26.7 per cent from 2009 to 2013. The number of persons with intellectual disabilities in long-term institutional care fell by 29.9 per cent.

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

Finland's Disability Policy Programme

Finland's Disability Policy Programme 2010–2015 outlines concrete disability policy actions. The programme is divided into 14 content areas that are important from the point of view of

disability policy, including social inclusion and participation, employment, education and social welfare. It comprises altogether 122 concrete measures to tackle the drawbacks.

The main content of the Disability Policy Programme is measures to ensure the following objectives:

- Preparation and implementation of the legislative amendments necessitated by the ratification of the UN Convention on the Rights of Persons with Disabilities
- Improving the socioeconomic status of persons with disabilities and combating poverty
- The availability and high quality of special services and support measures will be ensured across the country
- Accessibility in society will be strengthened and increased
- Disability research will be reinforced, the information base improved, and diversified high-quality methods developed in support of disability policy and monitoring.

The implementation of Finland's Disability Policy Programme is monitored by the National Council on Disability and the National Institute for Health and Welfare. According to the latest progress report (2014) by the National Institute for Health and Welfare, the Programme has advanced disability policy in Finland.

Employment

Ministry of Social Affairs and Health has developed a practical concept which aims to provide the right help at the right time with right means to help people with partial work ability either to enter the work force or stay in their present employment. The concept applies to people with partial work capacity, both within and outside the workplace. The employer or Employment and Economic Development Office (TE Office) appoints a work ability coordinator to support the person with partial work capacity.

Working together with people with partial work capacity, the coordinator plans and customises various tools (services, aid, benefits) to create an entity specifically tailored to meet each person's needs, thus allowing them to continue working or gain employment. The concept specifies the actors which are responsible for the initiation, running and successful completion of the process.

The applicability and suitability of the concept are being tested in pilot projects. These were launched at the beginning of 2014.

Tools for allowing people with partial work capacity to gain employment or continue working can be divided into six main categories, which contain dozens possible custom-tailored combinations.

- Tools in the workplace
- Health care and social services
- Rehabilitation
- Education
- Employment services
- Social welfare

The concept also requires a public electronic service and information portal containing up-to-date information about all services and benefits available. The operational concept will first be tested in pilot projects to evaluate its effectiveness and adaptability to different circumstances and to identify any weaknesses.

Education

The Finnish National Board of Education has prepared the new national core curriculum for basic and pre-primary education in December 2014. The new curriculum is based on the Decree on national objectives and distribution of teaching hours in basic education (422/2012), issued by the Government in June 2012. New local curricula that are based on this core curriculum should be prepared by the beginning of school year 2016–2017.

The preparation was carried out in working groups that focus on structure and objectives, conceptions of learning, support for learning and the different subjects taught in basic education. Each working group consisted of educational officials, researchers and teachers. The preparation of the curriculum was interactive. All education providers could follow the preparation and gave feedback at the different phases. They were also encouraged to involve pupils and their parents in the process.

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

The objective is that persons with disabilities can live in ordinary housing and living environment, where the services needed by them are primarily provided on the basis of general legislation in the form of non-residential services. When promoting the living conditions and services for persons with disabilities the emphasis is on the need to diversify the services and develop competences and cooperation between the different actors.

Integration of social and health services is needed to respond to the demanding and diversified needs for care of, in particular, persons with disabilities. Strong cooperation is also needed between social and health care, the educational system, employment and economic administration, traffic planning and the housing system.

The joint housing programme of the Ministry of Social Affairs and Health and the Ministry of the Environment for persons with intellectual disabilities is carried out in 2010–2015. In the Government Resolution of 2012 the goal was set to abolish institutional care for persons with intellectual disabilities by 2020, and to replace it by individual housing and services.

The Health Care Act applied to all population groups was amended in 2010. The purpose of the revised Social Welfare Act taking effect in 2015 is to be more significant than the present Act also with a view to organising services for certain disability groups. In case the general services are not sufficient and do not meet the needs of a person with disabilities, the needed services will be organised according to special legislation in the future, too.

The conditions for access to the medical rehabilitation organised by the Social Insurance Institution of Finland will be adjusted at the beginning of 2016 to the effect that a greater number of children and people of working age than before will be able to obtain medical rehabilitation at a sufficiently early stage. The national development programme for informal care (2014–2020) stresses the importance of increasing the support for informal care and the advantageousness of informal care compared to other types of care and, accordingly, proposes that the legislation regarding informal care should be revised.

A new act on organising social welfare and health care is being prepared. The objective of the reform is to promote the equal treatment of persons in need of services, strengthen the primary services, improve the effectiveness and efficiency of services, and to safeguard skills and knowledge. The purpose is that the responsibility for organising social welfare and health care will be transferred from local authorities to bigger social welfare and health care regions.

The renewed Equal Treatment Act entered into force at the beginning of 2015. The objective of the new act is to provide more comprehensive protection against discrimination. According to it people have equal protection against discrimination irrespective of whether

discrimination is based on ethnic origin, age, nationality, language, religion, belief, opinion, health, disability, sexual orientation or other personal characteristic. The act is applicable to all public and private activities, the only exceptions being activities that take place in the realm of private and family life or religion. A new authority, the Equal Treatment Ombudsman, has been established to oversee the compliance with the new act.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

Disability NGOs are actively involved in the preparation of legislation e.g. as members of the working groups set up by government ministries, as stakeholders consulted in the course of law drafting and as stakeholders asked for comments on the drafts.

The National Council on Disability is a joint organ of public authorities, disability NGOs and informal caregivers' NGOs. It monitors the decision-making in society, takes initiatives and makes proposals, and promotes the implementation of the rights of persons with disabilities. The Council works under the auspices of the Ministry of Social Affairs and Health.

The renewed Act on Local Government came into force on 1.5.2015. According to the Act each local government (by itself or together with another municipality/municipalities) has to set up a disability council that has an adequate representation of persons with disabilities, their relatives and disabled people's organisations. Disability Council must be given the opportunity to influence the planning, preparation and monitoring of activities of different municipal sectors and matters relevant to the welfare, health, social inclusion, environment, housing, mobility, daily living and services of persons with disabilities.

The implementation of Finland's Disability Policy Programme is monitored by the National Council on Disability and the National Institute for Health and Welfare.

4. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

People with disabilities are included in the ESF program under the themes of Employment, Education and Social inclusion. In the theme of Employment, the support is given to the persons in vulnerable labour market position, including persons with disabilities. In the theme of Education, educational equality is increased by targeted measures on those who are underrepresented in the education at the moment. In the theme of Social inclusion the aim is to enhance the situation of those in the most risk of exclusion from the society, including persons with disabilities.

Sweden

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

The current situation for persons with disabilities: 55 percent are employed compared to 79 percent for the rest of the population. During this past year, a greater number of persons with disabilities have entered the labour-market, but on the same time, the proportion of persons with disabilities registered with the Swedish Public Employment Service has increased. More than 25 percent of those registered with the Public Employment Service have a disability.

Trends since 2009:

The proportion of persons with disability that are employed have been the same between 2009- 2014.

Education

Current situation:

Among persons with disabilities aged 25-64, 30 percent have got post-secondary education. The corresponding proportion among the rest of the population is 44 percent. Among the elementary schools that The Schools Inspectorate has examined, 47 percent failed to give special support to the extent the students were entitled to. 25 percent of the municipalities have targets aiming to increase the availability and participation in school. 16 percent of students with disabilities were bullied, compared to 6 percent among others. The amount of teachers specialized in special education has declined since 2004/2005, when the proportion was 6.9 percent. In 2012/2013, the corresponding proportion was 5.6 percent.

The Swedish school is inclusive for girls and boys with disabilities. However, there are problems to establish the support that is required for girls and boys with disabilities. Thus, there are shortcomings in the provision of the special support and 50 percent of the schools inspected by the Swedish Schools Inspectorate failed to provide pupils with the special support they are entitled to. The proportion of teachers for girls and boys with special needs is decreasing. The municipalities have a key role in encouraging greater participation in school for pupils with disabilities. Today, 25 percent of the municipalities have the objective to improve accessibility and to increase the level of participation in school. The preconditions are better in adult education.

Trends since 2009: There are not any notable changes in development. There are however indications that more responsibility is delegated to local schools at the same as the budgets are restricted. This development may increase the risk that girls and boys with special needs do not get the support they need.

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Current situation:

In 2008, it was stated that it is ten times more common for persons with disabilities to suffer from ill health. This situation is the same in 2014. This is presumably the result of poorer

levels of participation in some areas such as labour-market, worse economic situation, lower degree of exercise etc.

Individual support to persons with disabilities has positive and negative aspects. Many people are satisfied with the measures they receive under the The Act (1993:387) Concerning Support and Service for Persons with Certain Functional Impairments (LSS). These measures are fundamental in enabling them to participate in day-to-day life on equal terms. At the same time, there are also many people who are concerned about the means of assessment and cases where measures according to the LSS has been cancelled after having initially been granted.

Accessibility to public transport is improving at a very slow pace. More buses, trains and trams have been accessibility-adapted during this past year. A few more interchange points have also been made accessible. One positive development is that all regional public transport authorities stipulate accessibility requirements when procuring bus services.

Knowledge of disabilities and functional impairments in the justice system continues to remain low and greater knowledge is needed to ensure that everyone is served by the law.

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

In 2011 the Government has adopted a strategy for the implementation of the disability policy. A number of agencies involved in the areas of employment, education and social inclusion of people with disabilities, have been instructed to work in accordance with this strategy.

Employment

The Government has undertaken a number of reforms aimed at improving opportunities for persons with disabilities in order to increase their possibilities to find employment. Resources have been made available for employment with wage subsidies and secure employment at Samhall AB. Extra funding has been provided to the Swedish Public Employment Agency to ensure that the standard of support given to persons with capacity-reducing disabilities is maintained. In addition to these initiatives the Government has decided on so-called new start jobs and other forms of employment supplement. The measures are specifically targeting persons with disabilities who have reduced work capacity.

The focus of the Public Employment Service is on boosting the employment level for persons with capacity-reducing disabilities and making the matching process more effective.

The Government has in the strategy for implementing the disability policy decided on a number of interim targets aimed at The Swedish Social Insurance Agency. The agency shall, inter alia, contribute to the empowerment of persons with disabilities in employment with early and active efforts.

To raise awareness of support available to persons with disabilities, the Public Employment Service was appointed to perform an information campaign in 2012. Entitled "See the

Strengths!” This campaign encourages employers to focus on people’s abilities and skills rather than on obstacles and disabilities.

The Government has also assigned the Public Employment Service to implement a trainee programme for persons with disabilities at government agencies.

The Government has also given the Public Employment Service and the Social Insurance Agency a mandate to evaluate work-oriented rehabilitation interventions in accordance with the method Supported Employment.

The aim with the Governments initiative “PRIO-mental illness” is to achieve specific, lasting improvements for persons with mental illness. During the period 2012-2016 the initiative is focusing on children and young people with mental health problems and people with extensive or complex psychiatric problems. The initiative is based i.a. on the overall goal of access to work and adapted employment.

To ensure that study and vocational guidance counsellors have extensive expertise, the National Agency for Education in consultation with the Public Employment Service, the Social Insurance Agency and the Swedish Institute of Assistive Technology, got an assignment during 2013 to develop a training program for study and vocational guidance to counsellors in secondary schools. The education intervention should focus in particular on the difficulties that young people with disabilities face on the labour market and how to support young persons in this field.

Education

To a great extent, responsibility for preschool and school education lies with the municipalities and private providers. The state is steering the education system by means of the Education Act (2010:800). The Swedish National Agency for Education develops action programmes for pupils with special needs. The School Inspectorate - monitors how schools are progressing in their provision of special-needs education. The agency has also carried out special audits focusing on education for pupils with disabilities. The National Agency for Special Needs Education and Schools – offers municipalities and private providers education and support in the area of special needs for pupils.

In 2012, as part of the strategy, the National Agency for Education has undertaken a study on special teaching groups, the Schools Inspectorate has conducted a quality review of the situation for school pupils diagnosed with autism spectrum disorder (ASD), and the National Agency for Special Needs Education and Schools has organized 364 courses and conferences focusing on the educational consequences of disabilities.

Besides the measures mentioned above, the Government has initiated several reforms aimed at raising standards at school in general and ensuring that all children and pupils enjoy the support they need. These include clarifying the academic knowledge requirements and introducing marks at an earlier age, which makes it easier for schools to quickly identify pupils with special needs. Other initiatives are government funds in support of both early measures to encourage development in writing, reading and mathematics and measures to improve school health and welfare services.

The competence of teachers is assured by the requirements in the teaching degree. To enhance the specialist qualification for teachers working with pupils with disabilities, the Government

has reintroduced remedial teacher training programs. The eligibility requirements for teaching have been made more stringent, for instance in the case of remedial teachers providing tuition to pupils with special needs.

Social inclusion

The Act (1993:387) concerning Support and Service for Persons with Certain Functional Impairments (LSS), aims at promoting equality of living conditions and full participation in the life of the community. The objective is to enable this group of individuals to live as others do. Section 6 of the act states that the activities concerned shall be based on respect for the individual's right to self-determination and privacy. As far as possible, the person concerned is to be given the opportunity to influence and determine the measures that are to be provided.

According to the Social Services Act (2001:453), the social welfare board is to endeavour to ensure that persons who, for physical, mental or other reasons, encounter difficulties in their everyday lives, are enabled to participate in the life of the community and to live as others do. The public social services are to promote equality of living conditions and active participation in the life of the community.

An interim report from the Swedish Social Insurance Inspectorate, covering the period 2001–2012, shows that a break in the assistance benefit trend occurred in 2008. Fewer new claimants were recorded in that year and the number of rejected applications rose by almost 50 per cent. At the same time appr. 1 000 new claimants have been approved assistance benefit in 2011 but the number has varied between 1 300 and 1 000 people between 2008 and 2011.

The Inspectorate has in its report not been able to explain what caused this change of direction. It cites a number of factors that may conceivably have influenced the outcome. One explanation may be that the term “basic needs” has been gradually specified more closely since 2006. Another possibility, according to the Inspectorate, is that more people who did not meet the criteria applied for assistance benefit at that time. The trend may also have been affected by both administrative and major organisational changes within the Swedish Social Insurance Agency. The Inspectorate presented its final report in October 2014.

Personal assistance may also be granted by the municipality according to LSS. The following data refers to this contribution.

The Health and Social Care Inspectorate supervises activities that come both under the Social Services Act and under the LSS. Its task is to ensure that such activities are pursued in accordance with the intentions of the law. In addition, other agencies such as the Schools Inspectorate and the Swedish Work Environment Authority have supervisory duties under the Education Act and the Work Environment Act. The Equality Ombudsman (DO) exercises supervision to ensure compliance with the Discrimination Act.

Each year, The Swedish Agency for Participation follows up the objectives of the Strategy for the Implementation of Disability Policy and reports to the Government Offices. There is also a national support structure within which the agency has follow-up responsibilities. The agency for participation is involved in developing a voluntary follow-up system in cooperation with municipalities, county councils and the Swedish Association of Local Authorities and Regions. Indicators enabling follow-ups of developments at local level are being produced for such sectors as the labour market, education, social welfare policy and culture/sports.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

The competence and the personal experiences of persons with disabilities is an important source in the implementation and in the monitoring of the Swedish disability policy work. On the governmental level there is a disability advisory committee meeting the umbrella organisations representing over forty different organisations of persons with disabilities. The responsible minister chairs this meeting. Larger governmental agencies and also local municipalities have established advisory committees.

The agency for participation has also established a disability advisory committee together with the three major umbrella organisations and engages in thematic dialogues in collaboration with these organisations and agencies. The disability organisations have a role in that they function as shapers of public opinion on various issues. The Swedish state provides the disability organisations with government funding of approximately SEK 180 million per year. With the creation of its “user panel” of some 2 000 people, The Swedish Agency for Participation is asking persons with disabilities how they experience community life from different points of view.

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

The area “Innovation” in the Europe 2020 Strategy should, according to our view, also include the disability dimension. We think that measures on inclusive design and welfare-technology should be considered within this field. We believe that accessibility and cost-effectiveness within the field of welfare and support to elderly and disabled persons, would gain from this initiative. We do not have any concrete measures at this day, but it would be interesting to elaborate on this further on.

5. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

A tentative description on how Sweden plans to use/work with The European Social Fund: Sweden faces long-term challenges due to demographic trends. The challenges are amplified by the impacts from the financial crisis. A weak labour demand particularly affects young people, women and men born outside the EU and persons with disabilities. The risk is obvious that many people in these groups will drift further away from the labour market and will find it difficult to come back when the labour market changes.

In order to address these challenges following measures are planned:

The measures planned are adapted in order to tackle problems such as unemployment together with illness or disability. The labour-market will be broadened by using measures such as social enterprising. Rehabilitation, access to education and training on the work-place will be used. The measures are aiming at persons in private, public and voluntary sectors and that they will participate in the development of methods in certain projects. Cooperation between different stakeholders will be developed.

United Kingdom

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

In September 2014 the UK Government published an Outcomes and Indicators Progress Report to update and show the progress that has been made on delivering its cross-government disability strategy - Fulfilling Potential.

The Fulfilling Potential Outcomes and Indicators Framework provides a basis for how UK Government can measure progress. It includes a number of indicators, which provide an indication of where progress is being made and where work needs to be done. These indicators cover six key themes: education; employment; income; health and wellbeing; choice and control; and inclusive communities.

The report can be found at –

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/348867/Fulfilling_Potential_Outcomes_and_Indicators_Framework_Progress_Report_2014.pdf

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

In September 2014 the UK Government also published a Strategy Progress Update, and Action Plan Update on Fulfilling Potential. The updates can be found at –

<https://www.gov.uk/government/publications/fulfilling-potential-making-it-happen-updates-september-2014>

The Action Plan includes a range of measures aimed at enabling disabled people to fulfil their potential:

The Children and Families Act 2014 introduces the single Education, Health and Care Plan which will move with children and young people through their schooling and into further education. More information about the Act can be found at:

<https://www.gov.uk/government/news/landmark-children-and-families-act-2014-gains-royal-assent>

The UK's Disability and Health Employment Strategy published in December 2013 sets out a range of actions to build positive attitudes towards disabled people's capacity for work, stimulate demand for disabled people in the open labour market and better target support to help disabled people get and stay in employment. The Strategy can be found at:

<https://www.gov.uk/government/publications/the-disability-and-health-employment-strategy-the-discussion-so-far>.

The Disability Confident Campaign launched by the Prime Minister in July 2013 aims to increase understanding, challenge attitudes and showcase the talents and abilities of disabled people who are working. It provides a range of promotional materials and case studies to help

employers understand the benefits of employing disabled people. More information can be found at: <https://www.gov.uk/government/collections/disability-confident-campaign>.

The Accessible Britain Challenge (ABC) encourages communities to be inclusive and accessible by working with disabled people to remove the barriers that stop them participating fully in their community. ABC is aimed at all members of the community including local businesses, employers, service providers, voluntary and community groups/organisations and disabled people. The UK Government has created an on line resource pack which brings together case studies, tools, guidance and good practice on inclusive and accessible communities. In November 2014 the UK Government launched the ABC Awards to recognise organisations that make an outstanding contribution towards communities being accessible and inclusive. This may include local councils, other service providers and businesses. More information about ABC can be found at: <https://www.gov.uk/accessiblebritain>

None of the UK's country specific recommendations focus on disability or specifically impact on disabled people.

3. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

The **Fulfilling Potential Forum** brings together representatives from 40 disability organisations and Disabled People's User Led Organisations, from across the UK. The Forum is convened by the Minister of State for Disabled People and the Minister of State for Care and Support. It meets quarterly to discuss and input into strategic priorities and direction across government to improve the key outcomes identified by disabled people as set out in the cross government disability strategy - Fulfilling Potential.

The Forum continues the engagement with disabled people and their organisations that led to development of the Fulfilling Potential Disability Strategy, and recognises the expectation of the UN Convention on the Rights of Persons with Disabilities that disabled people will be involved in how it is implemented and monitored.

More information about the Forum can be found at -

<https://www.gov.uk/government/groups/fulfilling-potential-forum>

The **Disability Action Alliance** brings together disabled people's organisations with other organisations from the public, private and third sector: to work in partnership and deliver actions at a national and local level that will make a real difference to the lives of disabled people. Its members decide on priorities and which actions to take forward. There are around 300 member organisations, from all sectors, regions and of all sizes.

More information about the Alliance can be found at -

<http://disabilityactionalliance.org.uk/>

The UK Government has long recognised the value and need for strong **Disabled People's User-Led Organisations** (DPULOs). These are organisations run by, and for, disabled people, making sure disabled people have their voices heard at every level. The Strengthening Disabled People's User-Led Organisations Programme promotes and encourages the growth of DPULOs, to support their work in building their capacity. It has provided more than £2.9 million to over 174 organisations across the UK to take forward a variety of projects. In addition we have recruited eleven DPULO Ambassadors and six Young Ambassadors to

provide advice and support to DPULOs across the UK to help them expand the DPULO network.

More information about the Programme can be found at –

<https://www.gov.uk/government/collections/strengthening-disabled-peoples-user-led-organisations>

Disabled people and their organisations are also actively involved in policy development through consultations, expert panels and working groups.

4. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas? None

5. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

The current (30 November 2014) draft proposed 2014-2020 European Social Fund (ESF) programme will require all ESF providers to comply with the UK's Equality Act 2010 and the Public Sector Equality Duty - <https://www.gov.uk/equality-act-2010-guidance>. Equality for all protected groups, including disabled people, will be mainstreamed across the programme and providers will be required to design and deliver their services so that they promote equality of access for protected groups, including disabled people.

The proposed programme sets out a number of specific references to disabled people including those with mental health conditions and learning disabilities:

- Priority Axis 1.1 Access to employment for jobseekers and the economically inactive.

Activities funded under this priority will include extra support aimed at helping disadvantaged and disabled people gain access to employment, including : pre-employment training; core skills, access to transport; activities to help integrate people into the workplace; and action to help retain existing disabled workers in the workplace.

- Priority axis 1.4: active inclusion.

Activities under this priority axis aim to help move disabled and disadvantaged people closer to employment or into employment by offering tailored and holistic support designed to meet the individual's needs. This support could include: early, preventative action and support; outreach and integrated support; and tackling multiple disadvantage for disabled people - including those with mental health issues, learning disabilities.

- Priority 2.1: enhancing equal access to lifelong learning.

Activities funded under this priority axis aim to help people get the skills they need to progress within work and will support training and support for people in all groups and in particular, full consideration is to be given to disabled people and other disadvantaged groups in and out of the workplace. The priority axis will support basic and low level skills and will also support skills training for those facing in-work poverty.

The UK's Equality and Human Rights Commission - <http://www.equalityhumanrights.com/> and Network for Europe - <http://www.networkforeurope.eu/> have been involved in the development of the new programme.

5. CIVIL SOCIETY OPINIONS

EUROPEAN ASSOCIATION OF SERVICE PROVIDERS FOR PERSONS WITH DISABILITIES (EASPD)

1. Please provide information, including relevant statistical data and evidence, on the situation of people with disabilities in your country and on the trends from 2009 for the following areas:

Employment

Current situation and trends since 2009:

The economic crisis that has hit Europe since 2008 and the implementation of austerity measures has had a strong impact on the employment percentage of persons with disabilities in Europe. This situation has particularly affected the employment situation of persons with disabilities, downsizing the achievements previously made and making it even more difficult for them to access the labour market.

Out of the total number of 80 million persons with disabilities living in Europe, Eurostat statistics estimates that the official employment rate within those at working age (16 to 65 years old) is of 50%, compared to the 70 % of the general population. However, this percentage does not take into account two groups: on one hand, persons with disabilities working in sheltered workshops; on the other hand, people who have been declared unable to work by Member States, due to the degree of their disability. As such, the percentage of 50% of employment within the group of persons with disabilities at working age cannot be considered accurate. In contrast to this, taking into account fragmented data on persons with disability working in sheltered workshop or having been declared unable to work by Members States, EASPD estimates that the real employment rate of persons with disabilities in Europe is of 20%.

In contrast to this, EASPD estimates that the total percentage of persons with disability working in sheltered workshop or having been declared unable to work by Members States is of 20%. Taking this last figure into account, the total employment rate within persons with disabilities in Europe is of 30%.

In general, real numbers related to these two groups have not yet been investigated and therefore remain uncertain. It is for this reason that EASPD stresses the importance of carrying our research and provide figures, data and statistics in a more comprehensive and accurate manner. This is in fact crucial in order to reflect the real employment situation of people with disabilities in Europe.

Education

Current situation and trends since 2009:

In the past years, there has been an increase in the awareness with regard to the educational potential and the citizen's rights dimension of inclusive education. There have been changes in educational, youth welfare and social laws to support learners with special education needs to be educated in inclusive settings.

However, there are still fundamental barriers to inclusive education. For example, in some countries the majority of mainstream school buildings do not comply with accessibility standards. Moreover, assistive transport is often only provided to special schools.

Furthermore, although assistive technology is available in most of the inclusive settings, very often the knowledge, competence and creativity to apply, adapt and use it is lacking. The training of teachers for learners with special educational needs is still dominated by the special school's perspective, particularly in countries with a strong tradition of special education. Major difficulties also remain with regard to intelligent ways to categorise the different needs of learners, which would allow access to additional support in mainstream educational settings without producing segregation and stigma.

Much has still to be done in the field of inclusive education. Once again, achievements are under threat due to the economic crisis in Europe, with worrying examples of arbitrary cost cuts and short term planning. In this situation, it is clear that some children do not get the right education and some others, particularly those with more severe disabilities, get no education at all.

Social inclusion, standard of living and poverty risk, community living and the availability of community-based services

Current situation and trends since 2009:

There is growing knowledge at national level within the social services sector that the demand for these services is increasing. At the same time, the availability of services is also decreasing, due to withdrawing authorities and cuts to public expenses and social services in most if not all European Member States. This situation is having a great impact on the sector of social services for persons with disability, with longer waiting lists in many regions and cities of Europe. Human rights standards set by international conventions such as the UNCRPD are also lowering, as shown by cases in which people with disabilities are required to look for support far away from their hometown. Too often, these services do not respect minimum quality standards. The lack of availability of quality services obviously has a negative impact on social inclusion, due to the important role services, such as housing or employment, play in the lives of many Europeans with disabilities. However, there is a general lack of data on the diversity and availability of support at both national and European level. For this reason, EASPD is calling on the European Commission to carry out a comprehensive research on statistics and data on this specific topic, in order to plan policies and provide accurate solutions to respond to these arising needs.

2. Based on the data presented above, describe how are you addressing challenges and opportunities identified in your country as regards employment, education and social inclusion of people with disabilities.

EASPD is working together with its members to inform and influence EU level policy and decision-making processes. We are specifically focusing on the fields of employment, education and social inclusion, within the frame of the European Semester. Together with the Semester Alliance, a platform of European NGOs, EASPD is working to inform national civil society organisations on the European Semester process. Our objective is to raise awareness on the need to influence this process and to contribute to the drafting of national reforms programs. Capacity-building events are taking place in a number of EU Members States and inputs are being collected on reforms and policies in key areas of relevance to our sector.

They will contribute to the drafting of a report on EASPD's position on the European 2020 strategy and on the European Semester, from both a European and national perspectives.

3. Please refer to relevant targeted reforms and to their link with relevant country specific recommendations addressed to your country (that focus on disability or impact people with disabilities, i.e. in the area of pensions, employment, social welfare, inclusive education, healthcare etc.).

With regard to the way in which the Europe 2020 strategy is currently being implemented, EASPD believes that there is an imbalance in terms of how the economic dimension has become the main focus, with the social dimension coming second. EASPD's understanding is that both the economic and social dimension should and, indeed, must go hand in hand if the Europe 2020 strategy is to be achieved. Indeed, for EASPD, the added value of the strategy was that it brought together these two dimensions, aligning them as both key to achieving smart, sustainable and inclusive growth. However, it is also important to note that growth and employment should not be considered as aims in themselves as they are only necessary insofar as they bring well-being and social cohesion to people. The lack of emphasis on wellbeing, through growth, could explain why the EU and many Member States' emphasis seem to focus on employment at all costs, rather than on the creation of new quality jobs.

Emphasis on the economic dimension becomes even clearer when looking at the European Semester process which spends more time on recommending austerity measures –linked to the Stability and Growth Pact- then on, for example, the benefits of social investment, as first included in the Europe 2020 strategy. In Finland for example, in response to country specific recommendations of 2013, which focused on the cost-effectiveness and sustainability of longterm care, on the productivity of public services and on enhancing competition in the product and service market the Finnish Government has committed to implement a vast structural reform program. This is composed of spending limits, significant adjustment measures, structural reforms to the public sector and of a program for growth. This last program specifically aims to balance local government finances, improving public services productivity, including a reform of social welfare and health care. In Hungary, the analysis of the European Commission points out that access to quality, inclusive and mainstream education that can provide better general competences required by the labor market, remains a key challenge. Moreover, it underlines that competition in the services' sector remains subdued because of the impossibility to reduce or remove entry barriers. For these reasons, 2014 country specific recommendations for Hungary stress, on one side, the importance to promote inclusive mainstream education for disadvantaged groups. On the other side, they encourage to take more ambitious steps to increase removing barriers in the services' sector.

EASPD believes that much more can be done to realign the economic and social dimensions of the strategy onto the same page and to focus on what brings social cohesion than on what simply brings growth. In fact, we believe that if a government invests on, for example, eliminating barriers currently blocking the job creation potential of the social services sector, then it will receive significant, employment, economic and social return on the long run; thus a key factor in achieving smart, sustainable and inclusive growth. It is this element of social investment which we associate with the strategy, rather than the many austerity measures currently recommended to member states through the Country-Specific Recommendations.

This would also help to bring the strategy closer to the European people who currently feel the European Union is not doing enough to alleviate the problems many of them are

encountering on a day-to-day basis: unemployment, poverty and social exclusion, etc. Readjusting the focus could be the perfect response from the European institutions against the euroscepticism and europhobia currently held by a significant (and potentially increasing) amount of Europeans.

4. Has your country involved civil society and disabled people organisations in the development, implementation and monitoring of policies that impact persons with disabilities? How?

EASPD believes that services providers for persons with disabilities, disabled people organisation and generally organisation of the civil society have not been sufficiently involved in the European Semester process. EASPD has joined the Semester Alliance, a platform of European NGO which has the objective to inform national civil society organisations and raise awareness on the need to influence the European Semester. Capacity building events are taking place in a number of EU Members States and inputs are being collected on reforms and policies in key areas of relevance to our sector. The alliance has contributed to the drafting of a report on alternative country country-specific recommendation, leading our policy work in the future years. EASPD is persuaded that this is key to reorient the European Semester towards a more social dimension; ultimately it is also crucial if EU 2020 targets, particularly in the fields of social inclusion, education, employment and poverty eradication have to be reached.

Much more can also be done to involve civil society organisations working in the field of disability into the policy-making process. The European Commission should make sure that they involve civil society –as partners- in all policies they are seeking to propose, in particular as most policies can now be linked to achieving the Europe 2020 strategy. This would yet again help to re-enforce the relationship between the European institutions and the European people. In addition to this, Member States should also be further encouraged to involve stakeholders in the development of policies. A list of best practices in terms of stakeholder involvement into policy making should be created by the European Commission in order to support Member States in better involving stakeholders in the European Semester process.

5. In addition to employment, education and social inclusion, what areas of the Europe 2020 strategy should include a disability dimension? What would you propose as concrete measures in those areas?

EASPD believes that all EU 2020 targets not directly related to disability issues such as employment, social inclusion and education should also have a disability dimension. With regard to environmental sustainability and research and development targets for example, it would be important to include accessibility standards within conditionality criteria for grants and public procurement tenders.

In general however, we believe that the most significant challenges remain within the employment, education and social inclusion targets. Due to the rise of people in need of social and health support/care throughout Europe, there is an important need to respond to this with sufficient quality, inclusive and affordable services. Yet with the diminishing public funding to the social sector, social service providers have to do more work, with less funding. This is one of the key challenges for Europe in the coming years. Yet, it also represents an opportunity. If properly financed and supported, the social and health services sector could help to create several million jobs in Europe within the next few decades, as well as to

provide important support/care for millions of Europeans. Nonetheless, financing is not the only problem our sector is encountering. Problems such as the gender and age imbalance, the lack of professional training and qualifications, the often below-average working conditions, etc. all represent key barriers to allowing the sector achieve its job creation, economic and social potential.

It is also clear that the achievement of such potential will be an important factor if the EU is to achieve its 2020 targets, not only in terms of the employment it creates in the sector, but also in the fact that an important part of the sector's work consists in supporting those most excluded in Europe to participate and be included in society; often but not always through employment, education and training. A lack of uptake in technology in the health and social sector is also a key challenge which needs to be tackled in the future, especially as it could lead to new jobs throughout the economy but also improve the quality as well as diminish the cost of these important social services. It is even more necessary to invest in creating innovative technologies in the sector due to the rising demographic trends we are encountering today.

Most importantly, EASPD believes that it would be key to create an effective model for disability policy co-ordination, which would need to be consistent with mechanisms for monitoring and implementing both the Europe 2020 strategy and the UN Convention reporting processes. Furthermore, it could be crucial to put more emphasis on the social impact assessments of all EU policies in order to get a better understanding of how each and every policy (including the recommendations made to Member States in the European Semester) affects the Europe 2020 targets, and in particular the (more) social ones. This would also be in accordance to the horizontal social clause (article 9) of the EU treaty which states that "in defining and implementing its policies and activities, the Union shall take into account requirements linked to the promotion of a high level of employment, the guarantee of adequate social protection, the fight against social exclusion, and a high level of education, training and protection of human health". It is clear to see how this article fits in with the Europe 2020 targets. The European Commission should use the objectives mentioned in Art. 9 and align them to the Europe 2020 strategy. The EU must further use and take into account social impact assessments in all its activities, including in the European Semester when recommending –for example- additional austerity measures.

6. How will you use the EU funding available in the 2014-2020 programmes to enhance the situation of people with disabilities in your country? Please refer also to your main priorities / areas of intervention. How did you involve the NGOs working on disability in your spending planning?

The first key area in which EU funding has to be used to enhance the situation of people with disabilities in Europe is that of community based-services. To ensure compliance with article 19 of the UNCRPD, it is important to improve and/or change the way in which provision of long term and/or intense care is provided. The development of effective and person-centred support systems requires efforts at all levels of the planning, (re)shaping and development of services that pose inevitably huge challenges for all stakeholders involved in the process.

Managing this transition particularly requires careful planning in order to avoid unintended harmful consequences and also to ensure that the transition processes are implemented in the most efficient and effective way. More in specific, budgets should be allocated to the development and set-up of community based services responsive to individual's rights, needs,

wishes and preferences as well as to staff training and staff development according to the principles enshrined in the UN CRPD.

Moreover, EU funding needs to be used in order to retrain the staff to the new model of support, and to promote the shift away from the old model of care. In fact, since 80 % of the costs of specialised service providers are made of staff costs themselves, EASPD believes that Staff retraining is an essential point in order to ensuring the provision of services of good quality.

A further point of action is Information and Communication Technology. It is important that ICT infrastructures are created in order to promote ICT accessible to persons with disabilities. In fact, ICT and AT can play a key role to promote and develop innovation in the provision of individualised services.

EU funding finally should focus on supporting cross-sectorial collaborations between the sector of individualised services for persons with disabilities and the social housing, health care, education, and employment ones. In this context, the example of the ELOSH Project managed by EASPD, which aims at supporting the integration between social housing and support services is of great importance as it shows how stakeholders can become partners in mainstreaming disability in all the fields of a person's life.

EUROPEAN DISABILITY FORUM (EDF)

Introduction:

The European Disability Forum (EDF)

EDF is the European umbrella organisation representing the interests of 80 million persons with disabilities in Europe. The mission of EDF is to ensure that persons with disabilities have full access to fundamental and human rights through their active involvement in policy development and implementation in Europe. EDF is a member of the International Disability Alliance and works closely with the European institutions, the Council of Europe and the United Nations.

1) Taking stock: the Europe 2020 strategy over 2010-2014

Content and implementation

The European Disability Forum welcomes the opportunity to contribute to the revision of the Europe 2020 strategy given by the European Commission public consultation. The objectives of the Strategy are ambitious, unfortunately several studies and reports confirm that, due to the economic crisis and the austerity measures, the Strategy targets are far from being achieved. The situation across EU in terms of unemployment and poverty is worrying. Persons with disabilities are at higher risk of poverty and social exclusion, they are further from the labour market and access to education is still a challenge in most countries especially when it comes to tertiary education.

On the basis of European Union Statistics on Income and Living Conditions 2011 (EU-SILC), the employment rate of persons with disabilities is lower than 50%,¹⁰⁶ employment rate of women with disabilities is lower than men with disabilities¹⁰⁷, therefore men and women with disabilities should be a priority group for national and European employment policies.

An important factor affecting the employment, but also unemployment and inactivity rate is the degree of disability. At EU level severely disabled people are at higher risk of exclusion from the labour market than moderate or non-disabled people. This means that measures aimed at the general population will not impact on people with severe disabilities.

The unemployment rate of persons with disabilities is higher at all stages of the life cycle¹⁰⁸, however the difference between employment of people with and without disabilities increases with age¹⁰⁹.

The economic crisis had negative effects on European citizens and has a greater impact on the standard of living of persons with disabilities compared to the general population¹¹⁰. The

¹⁰⁶ While in the majority of EU Member States the employment rate is higher than 70%. For more information, please see European comparative data on Europe 2020 & People with disabilities, final report prepared by Stefanos Grammenos from Centre for European Social and Economic Policy (CESEP ASBL) on behalf of the Academic Network of European Disability Experts (ANED), December 2013, available at [Word version 6.997 kB](#)

¹⁰⁷ Ibid.

¹⁰⁸ EU SILC 2011, available at http://epp.eurostat.ec.europa.eu/portal/page/portal/microdata/eu_silc

¹⁰⁹ This could be explained as: An initial disadvantage leads to unemployment and lack of experience which further increases the initial disadvantage of persons with disabilities; An initial activity limitation might deteriorate through time increasing the initial health disadvantage. This deterioration might be the result of the initial unemployment (poverty, living styles, etc.) For more information, please see European comparative data on Europe 2020 & People with disabilities, final report prepared by Stefanos Grammenos from Centre for European Social and Economic Policy (CESEP ASBL) on behalf of the Academic Network of European Disability Experts (ANED), December 2013, available at [Word version 6.997 kB](#)

¹¹⁰ Assessing the impact of European governments' austerity plans on the rights of people with disabilities – European report, Hauben, H. et al. (2012), European Foundation Centre, available at

number of persons at risk of poverty has increased across the whole EU. Evidence based on EU-SILC statistics supports the contention that people with disabilities face a higher risk of poverty than people without disabilities.¹¹¹ In 2011, 31% of persons with disabilities aged 16 and over lived in households at risk of poverty or social exclusion as compared to 21 % for persons without disabilities. This is a pattern in all EU Member States.¹¹²

It should be obvious that the EU cannot fulfil Europe 2020 without taking on board European citizens with disabilities and therefore specific measures should be developed.

Governance: European Semester and the issue of Participation

The European Semester process has immediately showed its faults. In fact, it gives priority to macroeconomic objectives compared to the social ones (e.g. fiscal coordination, budgetary balances) and the result is that achieving of reeducation of poverty and social exclusion is not happening across the EU with worsening of the situation in some countries.

Participation and transparency are other issues that make the system ineffective. This is due in particular to:

- lack of adequate information at national level about the relevant actors and phases
- lack of structured dialogue with organizations of persons with disabilities
- Complexity of the process and too short duration.

The Semester cycle is too short to allow adequate consultation of all actors involved and to effectively implement and monitor the intended results. It is too complex and does not have explicit connections to people's every day concerns. While in reality it affects directly our lives since it includes social reforms in the field of social protection (pensions, disability allowances, support services...), employment and education policies.

In order to improve the process and made it more democratic, European and national public authorities should build partnership with representatives of civil society including persons with disabilities, organizing peer learning event and platform and facilitate cross sectorial cooperation.

The Annual Growth Survey which kicks off the process should include relevant information and statistics on the situation of citizens with disabilities in employment their access to tertiary education and their quality of life, taking into consideration that they are at higher risk of poverty than non-disable people.

National Reform Programmes could be considered as a declaration of intents by the governments which highlight problems and propose reforms to overcome them. Unfortunately they are not ambitious enough and in some cases they limit themselves in reporting about the positive trends than the real issues.

Country Specific Recommendations are the result of the semester process and include a set of recommendations by the European Commission and the Council on how to improve their policies in view of the Europe 2020 Strategy goals. However, as already said, strong

http://www.efc.be/programmes_services/resources/Documents/Austerity2012.PDF

¹¹¹ EU-SILC 2011, available at http://epp.eurostat.ec.europa.eu/portal/page/portal/microdata/eu_silc

¹¹² European comparative data on Europe 2020 & People with disabilities, final report prepared by Stefanos Grammenos from Centre for European Social and Economic Policy (CESEP ASBL) on behalf of the Academic Network of European Disability Experts (ANED), December 2013, available at [Word version 6.997 kB](#)

recommendations on social objectives are often missing or are weak. Moreover, there is not adequate monitoring of their implementation at national level. In the area of disability, recommendations are scarce and when they exist either they relate to pension schemes or included in general references to vulnerable people with not concrete measures. There are not recommendations on disability related to access decent employment, reducing level of poverty or access to high level education.

In most cases, if we want to be realistic about their realization, it would be necessary to allocate funding, e.g. ESI Funds, so to support national governments to finance the reforms as needed.

Finally, if the European Semester and consequently the Europe 2020 strategy are to become more legitimate tool to serve its citizens, a role for the European Parliament should be included in the process. Especially in defining the priorities for national reforms and draft the Country Specific Recommendations.

Last but not least, the Europe 2020 strategy and the European Semester where adopted before the conclusion by the EU of the United Nations Convention on the Rights of persons with Disabilities (UN CRPD) This Convention is legally binding for the EU and therefore should be reflected in the future review of the Europe 2020 strategy.

Tools

- *Targets/indicators*

The targets set in the Europe 2020 should remain as overarching objectives for the EU. Increase of employment rate, reduction of schools drop outs and increase of tertiary education attendance, fight against poverty and social exclusion should be the core targets in order to reach a sustainable and inclusive growth without leaving citizens behind in the process. Enabling economic participation of all citizens is the only way to ensure long-lasting growth and an EU stronger vis a vis future challenges.¹¹³

According to several studies and reports¹¹⁴ there is lack of reference to disabled people and disability policies in the National Reform Programmes (NRPs); lack of statistics, indicators or targets relevant to improving the situation of disabled people in employment, education and social sphere including poverty risk, social protection and inclusion; and lack of reference to national disability strategies, EU disability strategies, or the UN Convention on the Rights of Persons with Disabilities. The scarce references to disability usually relate to pension schemes or they are embedded on a category of vulnerable groups without concrete follow up action.

However, in order to achieve a real growth achieving of the general targets should be measured on the basis of specific indicators. These should specify employment rate of persons with disabilities, inclusion in mainstream education of students with disabilities and protection of persons with disabilities and their families from the risk of poverty and social exclusion.

Per each mainstream indicator a specific one on people with disabilities should be created as follow:

¹¹³ More information on targets is provided in the answer to this consultation by ONCE and its Foundation

¹¹⁴ <http://www.disability-europe.net/home/input-european-semester>

- Activity rate of men with disabilities/Activity rate of women with disabilities
- Employment rate of men with disabilities/Employment rate of men with disabilities
- Unemployment rate of men with disabilities/unemployment rate of men with disabilities
- Share of early school leavers having a disability/ Share of early school leavers in need of high level support (including persons with intellectual disabilities)
- Persons with disabilities having completed tertiary or equivalent education
- People at risk of poverty and social exclusion based on an individual basis, broken down by gender) this should include:
 - o Persons with disabilities living in households with very low work intensity
 - o People at risk of poverty after social transfer (breakdown per gender)
 - o Severely materially deprived people with disabilities

Additional specific indicators:

- Employment of persons with disabilities in the open labor market
- Employment of persons with disabilities in supported employment undertaking
- Employment of persons with disabilities in sheltered workshops
- Average duration of labor contracts
- Inclusion of persons with disabilities in mainstream schools
- Inclusion of persons with disabilities in special schools
- Number of persons with disabilities living in institutional care settings

- *Flagship initiatives*

If we look at the original communication on Europe 2020, persons with disability are only mentioned in relation to summary of the flagship initiative “European platform against poverty” and not in initiatives “agenda for new skills and jobs” and “youth on the move”. While is true that persons with disabilities are at higher risk of poverty and therefore are a socially vulnerable group they are also an asset and their contribution to society is needed when attaining economic growth through employment and education.

Specific attention should be addressed to persons with disabilities in the “An agenda for new skills and jobs” flagship initiative and the related activities. Particular attention should be given to people with disabilities when promoting mobility of workers, self-employment opportunities, and the need for accessibility and reasonable accommodation including flexible working hours without the risk to lose social security entitlements.

Persons with disabilities should also be included under the initiative Youth on the move, and accessibility should be guaranteed and promoted overall the initiatives. In particular, when referring to “communication on foreign languages” sign language should be explicitly included among those.

EDF asks for the inclusion of a specific flagship on the ground of disability in the review of the Europe 2020. This could be easily done by the integration of the European Disability

Strategy in the Europe 2020 scheme of flagships. The European Disability Strategy is also currently under review.

2) Adapting the Europe 2020 strategy: the growth strategy for a post-crisis Europe

Content and implementation

- The European Disability Strategy 2010-2020 and the UN CRPD

In parallel with the publication of the Europe 2020 strategy the European Commission adopted a Disability Strategy to remove barriers to full inclusion in the society of persons with disabilities. The Strategy covered 8 domain including accessibility, participation, equality, employment, education and training, health, and external action. This strategy had a good potential of mainstreaming disability across the EU policy and legislative initiatives. However, this did not happen and the European Commission and the EU in general adopted several measures that did not include people with disabilities as a specific target.

In the same year 2010, the EU ratified the UN Convention on the Rights of Persons with Disabilities. Promotion of work and employment, access to education and ensuring adequate standards of living and social protection are obligations that the EU as a state party to the Convention has to fulfil and they are as well at the core of Europe 2020.

The UN CRPD and the European Disability Strategy should be included in the Europe 2020 review.

- Cohesion Policy and European Structural and Investment funds

Cohesion Policy has been identified as one of the most effective instrument to financially support the Europe 2020 strategy. Its effects in supporting countries during the crisis has been proven positive. Traditionally, in particular the European social fund, promoted employment and training opportunities for persons with disabilities. However, during the period 2007-2013, there were cases of misuse of structural funds and access to the funds was extremely complex for organisations of persons with disabilities. In particular, funds were used towards building residential institutions with the consequences of locking people away from the society and cutting their possibility of being fully integrated. This is in direct contradiction with the Europe 2020 and its headline objective of fighting against social exclusion. The new Structural and Investment Funds regulations, at least on paper, are much better and have been designed to serve the objectives of Europe 2020. They are positive in the sense that they address accessibility of social and health infrastructures in order to promote transition from institutional to community based care, accessibility for persons with disabilities is an overarching principle and taken into account in all phases and partnership with civil society is compulsory and a general principle as well. The fundamental thing if we want to reach Europe 2020 targets by using the ESI Funds is to implement all these provisions in an effective way and with full participation of persons with disabilities.

The ESIF have defined a European Structure Dialogue in which the European Civil society is included. The purpose of this dialogue is to monitor, at European level, the implementation of the funds. The ESIF regulations have also established a code of conduct in this regard.

EDF ask for the creation of a European monitoring framework at EU level, including civil society, in order to monitor the implementation of the Europe 2020 and the European semester, to meet biannually.

- Gender dimension as a cross cutting element

Women are still at higher risk of discrimination across Europe and the situation is worsening considering the effects of the financial crisis as well as the recovery measures imposed by the EU and the national governments. If women are discriminated, women with disabilities are even more so and therefore face multiple discriminations. According to EU-SILC data in 2011 and related studies women with disabilities are more excluded from the labour and at a higher risk of poverty than both men with disabilities and women without disabilities.

At EU level, about 24% of women with disabilities, live in households with low work intensity compared to 9% of women without disabilities and that 13% of women with disabilities live in severely materially deprived households compared to 7% of women without disabilities.¹¹⁵ If we consider single mothers households with dependent children the risk of poverty increases even more. In the Europe 2020 governance, and in particular in the European semester process, specific measures both from the national perspective (national reform programmes) and from the European one (country specific recommendations) targeted measures should be taken to address and solve gender inequality.

Women with disabilities and mothers taking care of children or other persons with disabilities face additional obstacles to combine their work and private life. The organisation of the labour market, its practices and policies do not take into account their specific demands:

In this regard, women with disabilities and mothers of children with disabilities face discrimination with regards to hiring procedures, salary and social security payments. Relevant social services should develop suitable measures to support mothers with disabilities or mothers of sons or daughters with disabilities in their search for employment and efforts to retain employment. Suitable training to meet the demands of the labour market should be organised.

In addition, they face difficulties obtaining flexible working hours or part-time teleworking, and have high disability-associated expenses in relation to motherhood and motherhood and care for other persons with high support needs.

Accessible and affordable quality support services at different times of the day, such as nurseries or care services for older people and other persons with high support needs should be available. Public childcare systems should be strengthened and companies should be offered incentives to set up childcare facilities in their premises. Women with disabilities and mothers of boys and girls with disabilities should have priority when such services are offered.¹¹⁶

3) Recommendations

EDF calls for:

- mainstreaming of disability across the Europe 2020 related initiatives, in line with the implementation of the UN CRPD by the EU
- inclusion of a specific flagship on the ground of disability in the review of the Europe 2020, by the integration of the European Disability Strategy in the Europe 2020 scheme of flagships.

¹¹⁵ idem

¹¹⁶ EDF Manifesto on the rights of women and girls with disabilities in the European Union, 2011, p. 45.

- adequate implementation of the ESIF Funds to include persons with disabilities when promoting employment and social inclusion
- full inclusion of persons with disabilities in the society should be part of the overall strategy of combating poverty and should include specific legislative and policy initiatives to promote transition from institutional to community based care
- specific sub targets related to persons with disabilities should be included in the Strategy
- creation of a European monitoring framework at EU level, including civil society, in order to monitor the implementation of the Europe 2020 and the European semester, to meet biannually. The European semester process should be more transparent, it could be longer and should give adequate time for consultation
- All relevant documents including communications on flagship initiatives, should include sign language among foreign language when referring to them.
- The European parliament should have a strong role to play in the semester process
- The European Union should improve reconciliation between professional and private life of women with disabilities and parents carers of children with disabilities through effective measures based on their specific demands. Measures should include strengthen opportunities to reconcile work and family life, first of all by accessible and qualitative child care facilities and facilities for dependant family members (elderly and disabled)¹¹⁷, including by testing new forms of public-private organisational and financial cooperation and new arrangements for such cooperation. Structural Funds, and in particular the European Social Fund, should be used as key tools to develop these care facilities.

4. Acknowledgements

This position paper has been prepared thanks to EDF members, in particular Belgium Disability Forum, Fundación ONCE, European Union of the Deaf, Disabled People Organisation Denmark, Conseil National

¹¹⁷ [EWL report : Ticking Clocks : “Alternative 2012 Country-Specific Recommendations to strengthen women’s rights and gender equality in the Europe 2020 Strategy” in pdf format](#)

ANNEX 1: RESPONSIBLE AUTHORITIES AND CONTACT PERSONS

This annex contains an overview of responsible authorities, focal points, coordination mechanisms and contact points. The data were provided by the Member States in reply to the following questions:

* Who is responsible for the implementation (putting into practice) of the UN Convention, *i.e.* the focal point foreseen in Article 33(1) of the Convention?

* Have you established a coordination mechanism foreseen in Article 33(1) of the Convention?

Belgium

Focal Points:

- Federal level : Federal Public Service Social Security – DG Strategy & Research
- Flanders: Gelijke Kansen in Vlaanderen (Equal Opportunities in Flanders) [Gelijke Kansen in Vlaanderen](#)
- Walloon region: Agence Wallonne pour l'Intégration des Personnes handicapées (Agency for Integration of Persons with Disabilities)
- Brussels-Capital region: Cel Gelijke Kansen en Diversiteit (Equal Opportunities and Diversity Body), e-mail: gelijkekansen@mbhg.irisnet.be
- Commission of the French speaking Community COCOF : Service Personne Handicapée Autonomie Recherchée (PHARE)
- Joint Community Commission COCOM : Administration COCOM
- French-Speaking community : WBI Service multilatéral mondial (WBI Multilateral World Service)
- German-speaking community: Dienststelle für Personen mit Behinderung (Office for People with Disabilities)

Coordination mechanism: Federal Public Service Sociale Security – DG Strategy & Research

Independent mechanisms: Interfederal Centre for Equal Opportunities and Opposition to Racism and Discrimination

Contacts:

- Federal level + interfederal coordination mechanism: Greet van Gool - Federal Public Service Social Security, DG Strategy, International Affairs & Research – Mail: greet.vangool@minsoc.fed.be; CoordinationmechanismUNCRPD@minsoc.fed.be
- Flanders : Marian Vandenbossche and Han de Bruijn – Gelijke Kansen in Vlaanderen– Mail: marian.vandenbossche@dar.vlaanderen.be and han.debruijn@dar.vlaanderen.be
- Walloon Region: Jean-Marc HURDEBISE – AWIPH - Agence wallonne pour l'intégration des Personnes handicapées - Mail : jm.hurdebise@awiph.be
- Brussels Capital Region : Melissa De Schuiteneer - Cel Gelijke Kansen en Diversiteit - Mail: mdeschuiteneer@mbhg.irisnet.be
- Commission of the French speaking Community COCOF : DEBACKER Philippe – Service PHARE –Mail : pdebacker@cocof.irisnet.be

- Joint Community Commission COCOM - Edith Poot - Administration COCOM – Mail: epoot@ggc.irisnet.be
- French-Speaking community : FAURE Marien – WBI Service multilatéral mondial – Mail : m.faure@wbi.be
- German-speaking community: Joel Arens - DPB - Dienststelle für Personen mit Behinderung – Mail : joel.aren@dpb.be
- Independant mechanism: Centre for Equal Opportunities and Opposition to Racism and Discrimination – Mail: epost@cntr.be

Bulgaria

Focal Point: Integration of People with Disabilities Department at Ministry of Labour and Social Policy

Coordination mechanism: None established

Independent mechanism: None established

Contact:

Eleonora Pachedzieva – Director
 Ministry of Labour and Social Policy
 Directorate “Policy for people with disabilities, equal right and social benefits”
 2 Triaditza street, 1051 Sofia, Bulgaria
 Email: g.mashova@mlsp.government.bg, Tel.: + 359 2 8119 418

Nadezhda Harizanova – state expert
 Integration of People with Disabilities’ Department
 Directorate “Policy for people with disabilities, equal opportunities and social benefits”
 Ministry of Labour and Social Policy
 2 Triaditza street, 1051 Sofia, Bulgaria
 Email: E.Pachedzieva@mlsp.government.bg, Tel.: + 359 2 8119 658

Ministry of Labour and Social Policy
 National Council for Integration of People with Disabilities.
 Council of Ministers, regional governors, regional government in cooperation with civil society.

Ministry of Youth, Education and Science, Ministry of Health, Ministry of Regional Development and Republic Works, Ministry of Justice, Ministry of Culture, Ministry of transport, ICT, Ministry of economy, energetic and tourism, State Agency for Child Protection, Agency for People with Disabilities, Social Assistance Agency, National Statistical Institute and regional government.

Czech Republic

Focal Point: Ministry of Labour and Social Affairs

Coordinating mechanism: Ministry of Labour and Social Affairs
 Government Board for People with Disabilities
 Czech National Disability Council

Independent mechanism: none established

Contact:

Stefan Culik
Ministry of Labour and Social Affairs
Na Poricnim pravu 1
128 01 Prague 2
Czech Republic
Tel: +42 22192 2693
E-mail: Stefan.Culik@mpsv.cz

Denmark

Focal Point: The Ministry of Children, Gender Equality, Integration and Social Affairs

Coordination: Ministries' Disability Committee (Previously the Inter-ministerial Committee of Civil Servants on Disability Matters)

Independent mechanism: The Danish Institute for Human Rights

Contact:

Tina Gade Jensen (tgj@sm.dk)
Nanna Julie Jørgensen (najj@sm.dk)
Ministry of Children, Gender Equality, Integration and Social Affairs
Holmens Kanal 22, DK-1060 København K
+45 33 92 93 00

The Danish Disability Council

Civil society: involvement through representative organizations (“Danske Handicaporganisationer”/Danish Council of Organisations of Disabled People, Each sector Ministry is responsible of implementing necessary changes etc. in their area (the principle of sector responsibility)

Germany

Focal Point: Federal Ministry of Labour and Social Affairs

Coordination Mechanism: Federal Government Commissioner for Matters relating to Persons with Disabilities

Monitoring Mechanism: German Institute for Human Rights
National UNCRPD Monitoring Body
Zimmerstrasse 26/27, 10969 Berlin, Germany
Tel.: 0049-30-259359-450
E-Mail: monitoring-stelle@institut-fuer-menschenrechte.de
Fax: 0049-30-259359-459
<http://www.institut-fuer-menschenrechte.de/en/monitoring-body.html>

Contact:

Ulrike Knospe

Head of Division Division Va 5 (Implementation of the UNCRPD, Focal Point, National Action Plan)

Federal Ministry of Labour and Social Affairs,

email: ulrike.knospe@bmas.bund.de

Tel. +49-30-527-2070

André Necke

Desk officer

Division Va 5 (Implementation of the UNCRPD, Focal Point, National Action Plan)

Federal Ministry of Labour and Social Affairs,

email: andre.necke@bmas.bund.de

Tel. +49-30-527-1780

Estonia

Focal Point: Ministry of Social Affairs.

Coordination mechanism: Ministry of Social Affairs (coordination of all the ministries according to the scope of their competence)

Independent mechanism: to be established at the Gender Equality and Equal Treatment Commissioner's Office in 2015.

Contact:

Focal point/coordination mechanism:

Raimo Saadi

Social Welfare Department, Ministry of Social Affairs, Gonsiori 29, 15027 Tallinn, Estonia.

E-mail: raimo.saadi@sm.ee ; Tel: +372 626 9224

Independent mechanism:

Mari-Liis Sepper

E-mail: info@svv.ee; Tel: +372 626 9059; Endla 10A, 10142 Tallinn, Estonia

Ireland

Focal Point: will be confirmed following ratification

Coordination mechanism: will be confirmed following ratification

Independent mechanism: will be confirmed following ratification

Contact:

Deaglán Ó Briain

Equality Division

Department of Justice and Equality

Email: dsobriain@justice.ie

Tel: +353 1 4790268

Greece

Focal point: Ministry of Labour, Social Security & Welfare

Coordination mechanism: none established

Independent mechanism: none established

Contact:

Nikolsky Dimitrios
Ministry of Labour, Social Security & Welfare
Stadiou 29, Athens
e-mail: d.nikolsky@yyka.gr
Tel: +30 210 5281123

Spain

Focal Point : Ministry of Foreign Affairs and Cooperation as well as the Ministry of Health, Social Services and Equality¹¹⁸, through Directorate-General for Disability Support Policies, which is responsible for the coordination of both.

Coordination: National Disability Council (General State Administration, Associations of common public interest, experts advisors).

Independent Mechanism: CERMI (Spanish Committee of Representatives of Persons with Disabilities) created by the National Disability Council

Contact:

Ignacio Tremiño
dgdiscapacidad@msssi.es
General Director of Disability Support Policies. Ministry of Health, Social Policy and Equality
Alcalá, 37
28071 Madrid
tel: + 34 918226502/03

Humans Rights Office - Ministry of Foreign Affairs and Cooperation (MAEC)
odh@maec.es

France

Focal point: All administrations, services and bureaus working on the implementation of disability policy (not formally appointed yet as focal points)

Coordination mechanism: Interministerial committee of disability, chaired by the Prime Minister

Independent mechanism: Not appointed yet (see Chapter 2)

Contact:

¹¹⁸ The recent ministerial reorganization undertaken by the Spanish government, under which social policies, and therefore the UNCRPD, have been assigned to the new Ministry of Health, Social Services and Equality.

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European and International Affairs Unit
DIRECTORATE GENERAL FOR SOCIAL COHESION
Ministry for Solidarity and Social Cohesion
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E-Mail : pascal.froudiere@social.gouv.fr

Croatia

Focal Point: Ministry of Social Policy and Youth

Coordination mechanism: Ministry of Social Policy and Youth, Committee for Persons with Disabilities of the Government of the Republic of Croatia

Independent mechanism: Office of the Ombudsman for Persons with Disabilities,
Associations of persons with disabilities

Contact:

Ministry of Social Policy and Youth, Savska 66, 10 000 Zagreb, ministarstvo@mspm.hr
Office of the Ombudsman for Persons with Disabilities, Savska 41/3, 10 000 Zagreb,
ured@posi.hr

Italy

Focal Point: Ministry of Labour and Social Policies - Directorate general for inclusion and social policies.

Coordination mechanism: Ministry of Labour and Social Policies- Directorate general for inclusion and social policies.

Independent mechanism: National Observatory for monitoring the condition of people with disabilities (Law 18/2009)

Contact:

Alfredo Ferrante, aferrante@lavoro.gov.it, DGInclusioneDiv4@lavoro.gov.it
Head of Unit for persons with disabilities
Directorate general for inclusion and social policies
Ministry of Labour and Social Policies
Via Fornovo, 8
00192 Roma - IT
Tel +39 06.4683.4659-4457

Cyprus

Focal Point: Department for Social Inclusion of Persons with Disabilities at Ministry of Labour, Welfare and Social Insurance (information in English available at www.mlsi.gov.cy/dsid)

Coordination mechanism: The Pancyprian Council for the Persons with Disabilities.

Independent mechanism: Commissioner for Administration and Human Rights
(Ombudsman) – Independent Authority for the Protection of the
Rights of Persons with Disabilities

Contact:

Christina Flourentzou-Kakouri (Director)
Department for Social Inclusion of Persons with Disabilities
1430 Nicosía, Cyprus
Tel: 00357 22 815120, Fax: 00357 22 482737
e-mail: cflourentzou@dsid.mlsi.gov.cy

Latvia

Focal Point: The Ministry of Welfare

Coordination mechanism: The National Council of Disability Affairs (NCDA)

Independent mechanism: The Ombudsman office (also the NCDA and working groups)

Contact:

Elina Celmina, Tel: +371 67021612, Elina.Celmina@lm.gov.lv
Dace Kampenusa, Tel: +371 67021691, Dace.Kampenusa@lm.gov.lv

Department of Social Inclusion and Social Work Policy
Ministry of Welfare
28 Skolas Str.Riga, LV-1331
Latvia
Fax +371 67021607

Lithuania

Focal Point: Ministry of Social Security and Labour

Sub-Focal points: The Ministry of Education and Science, the Ministry of Transport and Communications, the Ministry of Health, the Ministry of Environment, the Ministry of Economics, the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of the Interior, the Ministry of Culture, the Department of Physical Education and Sports under the Government of the Republic of Lithuania, the Department of Statistics, Information Society Development Committee under the Ministry of Transport and Communications.

Coordinating mechanism: Ministry of Social Security and Labour

Independent mechanism: The Council for the Affairs of Disabled at the Ministry of Social Security and Labour and the Office of Equal Opportunities Ombudsperson.

Contact:

Egle Caplikiene, Egle.Caplikiene@socmin.lt
Head of Equal Opportunities Division,
Tel: +370 5 266 42 61,
Kristina Eismontė, Kristina.Eismonte@socmin.lt
Chief Specialist of Equal Opportunities Division

Tel: +370 5 266 42 74

Luxembourg

Focal point: Ministry of Family Affairs and Integration

Coordination mechanism: Ministry of Family Affairs and Integration

Independent mechanism:

Task of promoting and monitoring: Consultative Commission of Human Rights (of the Grand Duchy of Luxembourg) jointly with the Centre for Equal Treatment

Task of protecting: National Ombudsman

Contact:

Sandy Zoller

Conseiller de Direction

Ministry of Family Affairs & Integration

12-14 avenue Emile Reuter

L-2919 Luxembourg

sandy.zoller@fm.etat.lu

Marie-France Nennig

Conseiller de Direction, 1^{ère} classe

Ministry of Family Affairs & Integration

12-14 avenue Emile Reuter

L-2919 Luxembourg

marie-france.nennig@fm.etat.lu

Hungary

Focal Point: Ministry of Human Capacities

Coordination mechanism: not established

Independent mechanism: National Council on Disability Issues

Contact:

1. Péter JUHÁSZ

Head of Department

Email: peter.juhasz@emmi.gov.hu

Ministry of Human Capacities

2. Mr Norbert TAKÁCS

Officer for EU and International Affairs

Email: norbert.takacs@emmi.gov.hu

Ministry of Human Capacities

Malta

Focal Point: Ministry for Justice, Dialogue and the Family (responsible for social policy)

Coordination mechanism: Ministry for Justice, Dialogue and the Family

Independent mechanism: National Commission Persons with Disability (KNPD)

Contact:

Anne-Marie Callus, Kummissjoni Nazzjonali Persuni b'Dizabilità, Bugeia Institute, Braille Street, St Venera

The National Commission Persons with Disability (KNPD) established by the Equal Opportunities (Persons with Disability) Act (includes representatives of the main Government Ministries and also the voluntary sector working in the field).

The Netherlands

Focal Point: The Ministry of Health, Welfare and Sport (VWS)

Coordination mechanism: Proposed network of representatives from all layers of government.

Independent mechanism: National Human Rights Institute (College voor de rechten van de Mens: www.mensenrechten.nl Postbus 16001, 3500 DA Utrecht, T (00-31-30) 888 38 88)

Contact:

Nicolette Damen
Ministry of Health, Welfare and Sport
PO Box 20350
NL 2500 EJ The Hague
Tel: + 31 70 340 7284
E: nicollette.damen@minvws.nl

Austria

Focal Point at federal level: Federal Ministry of Labour, Social Affairs and Consumer Protection (mail to: behindertenrechtskonvention@sozialministerium.at)

Coordination mechanism: Federal Ministry of Labour, Social Affairs and Consumer Protection (Website: www.sozialministerium.at)

Independent mechanism: Independent Committee on monitoring the implementation of the UNCRPD in Austria (Chair: Marianne Schulze)

Office of the Austrian UNCRPD Monitoring Committee
c/o Federal Ministry of Labour, Social Affairs and Consumer Protection
A-1010 Vienna, Stubenring 1
Fax: +43 1 718 94 70 2706
e-Mail: buero@monitoringausschuss.at

Website: www.monitoringausschuss.at

Contact:

Max Rubisch

Federal Ministry of Labour, Social Affairs and Consumer Protection (CRPD Focal Point)

A-1010 Vienna, Stubenring 1

E-Mail: max.rubisch@sozialministerium.at , Tel. +43-1-711 00-6262

Andreas Reinalter

Federal Ministry of Labour, Social Affairs and Consumer Protection (CRPD Focal Point)

A-1010 Vienna, Stubenring 1

E-Mail: andreas.reinalter@sozialministerium.at , Tel. +43-1-711 00-2255

Poland

Focal Point: Ministry of Labour and Social

Coordination mechanism: Ministry of Labour and Social Policy and the Team for the Implementation of the CRPD Provisions (established by the Minister of Labour and Social Policy, composed of representatives of the ministries involved in the implementation of the Convention and chaired by the Government Plenipotentiary for Disabled People)

Independent mechanism: Human Rights Defender

Contact:

Joanna Maciejewska, joanna.maciejewska@mpips.gov.pl

Ministry of Labour and Social Policy,

Department of Economic Analyses and Forecasts,

Nowogrodzka 1/3/5, 00-513 Warsaw, Poland

Tel: (48 22) 380 51 51,, fax. (48 22) 380 51 03

Małgorzata Kiełducka, malgorzata.kielducka@mpips.gov.pl

Ministry of Labour and Social Policy,

Office of the Government Plenipotentiary for Disabled People

Nowogrodzka 1/3/5, 00-513 Warsaw, Poland

Tel: +48 22 529 06 12, fax. +48 22 529 06 02

Portugal

Focal point: to be designated

Coordination mechanism: National Institute for the Rehabilitation

Independent mechanism: to be designated

Contact:

José Madeira Serôdio (PhD)

National Institute for the Rehabilitation

Av. Conde de Valbom 63

1069-178 Lisbon

Portugal
Tel: 00351 21 792 95 00
Fax: 00351 21 792 95 95
E-mail: José.M.Serodio@inr.msess.pt

Romania

Focal Point: Ministry of Labor, Family, Social Protection and Elderly Persons /Directorate for the Protection of Persons with Handicap

Coordination mechanism: Ministry of Labor, Family, Social Protection and Elderly Persons/Directorate for the Protection of Persons with Handicap

Independent mechanism: The Romanian Institute for Human Rights (IRDO)

Contact:

Iona Cazan, Public Manager
Directorate for the Protection of Persons with Disabilities
Ministry of Labor, Family, Social Protection and Elderly Persons
194, Calea Victoriei, 1st District, Bucharest, Romania
Tel: +4 021 212 54 38
Fax: +4 021 212 54 43
Ioana.cazan@anph.ro

Slovenia

Focal Point: Ministry of Labour, Family, Social Affairs and Equal Opportunities; Disability, Veterans and Victims of War Directorate

Coordination mechanism: Ministry of Labour, Family, Social Affairs and Equal Opportunities; Disability, Veterans and Victims of War Directorate

Independent mechanisms: Council for Persons with disabilities of the Republic of Slovenia

Contact:

Saša Mlakar, Senior Advisor I
Ministry of Labour, Family, Social Affairs and Equal Opportunities Disability, Veterans and Victims of War Directorate

Kotnikova 28, 1000 Ljubljana,
SLOVENIA
tel: + 386 1 369 75 65, fax: +386 1 369 75 64
sasa.mlakar@gov.si

Council for Persons with Disabilities of Republic of Slovenia
Relevant ministries for disability policy
Slovenian National Council of disabled people's organizations

Slovak Republic

Focal Point: Ministry of Labour, Social Affairs and Family

Coordination mechanism: None established

Independent mechanism: None established

Contact: Ministry of Labour, Social Affairs and Family of the Slovak Republic
Spitalska 4,68
816 43 Bratislava
Slovakia
Tel.: +421 2 2046 2107
Fax.: +421 2 2046 2630
minarovychova@employment.gov.sk

Finland

Focal Point: none established yet

Coordination mechanism: none established yet

Independent mechanism: none established yet

Contact:
Satu Sistonen
Legal Officer
Unit for Human Rights Courts and Conventions

Ministry for Foreign Affairs
Email: satu.sistonen@formin.fi , OIK-40@formin.fi
Tel. + 358 295 3511 75, +358 40 158 5481

Eveliina Pöyhönen
Ministerial Counsellor
Social Inclusion Team
Department for Promotion of Welfare and Health
Ministry of Social Affairs and Health
P.O. Box 33, FI-00023 Government, Finland
[Email: eveliina.poyhonen@stm.fi](mailto:eveliina.poyhonen@stm.fi)
Tel. +358 295 163 303

Sweden

Focal Point: Ministry of Health and Social Affairs

Coordinating mechanisms: Division for Family and Social Services of the Ministry of Health and Social Affairs; The Swedish Agency for Participation

Independent mechanism: none established

Contact:

Lars Nilsson, lars.x.nilsson@gov.se Ministry of Health and Social Affairs Social Services
Division
Tel: +46 8 405 37 29

UK

Focal Point: Office for Disability Issues (ODI)

Coordinating mechanism: Office for Disability Issues (ODI)

Independent mechanisms: UK's four equality and human rights Commissions i.e. the Equality and Human Rights Commission (EHRC), the Scottish Human Rights Commission (SHRC), the Northern Ireland Human Rights Commission (NIHRC) and the Equality Commission for Northern Ireland (ECNI)

Contact:

Stephen Thrower, Stephen.thrower@dwp.gsi.gov.uk
UN Convention and International Team,
Ground Floor, Caxton House
Tothill Street
London SW1H 9NA
Tel: +44 20 7449 5072,
Fax: +44 20 7449 5087

Department for Work and Pensions; Office for Disability Issues

European Union

Focal point: European Commission

Coordination mechanism: none established

Independent mechanism: none established

Contact:

Maria Luisa Cabral, Maria-Luisa.CABRAL@ec.europa.eu
Head of Unit,
D4 Rights of Persons with Disabilities
European Commission
DG Employment
Philippe Le Bon 3
1000 - Bruxelles

ANNEX 2: WEBSITES

Belgium

Federal Ministry of Social Security: www.socialsecurity.fgov.be/

Flemish administration for 'Equal Opportunities in Flanders' : www.gelijkekansen.be

Walloon Agency for Integration of Persons with Disabilities : www.awiph.be/

Brussels Joint Community Commission : www.bico.irisnet.be

Office of the German-speaking Community for Persons with Disabilities: www.dpb.be

Czech Republic

Ministry of Labour and Social Affairs: www.mpsv.cz

Czech National Disability Council: www.nrzp.cz

Government Board for People with Disabilities: www.vlada.cz/en/ppov/vvzpo/uvod-vvzpo-en-312/

Denmark

Ministry of Social Affairs and Integration: www.ism.dk

Germany

Federal Ministry of Labour and Social Affairs:

www.bmas.de

Portal for persons with disabilities, their family, administrations and enterprises

www.einfach-teilhaben.de

Federal Commissioner:

www.behindertenbeauftragter.de

Monitoring Mechanism:

<http://www.institut-fuer-menschenrechte.de/en/monitoring-body.html>

Estonia

Ministry of Social Affairs: www.sm.ee

The Estonian Chamber of Disabled People www.epikoda.ee

Gender Equality and Equal Treatment Commissioner www.svv.ee

Ireland

<http://www.justice.ie/en/JELR/Pages/Disability%20Policy>

Greece

Ministry of Health and Social Security: www.mohaw.gr,

National Confederation of People with Disabilities: www.esaea.gr

Spain

Ministry of Health, Social Services and Equality: www.msssi.es

Ministry of Foreign Affairs and Cooperation: www.maec.es

Comité Español de Representantes de Personas con discapacidad (CERMI): www.cermi.es

France

Ministry for Solidarity and Social Cohesion: <http://www.solidarite.gouv.fr/>

Croatia

Ministry of Social Policy and Youth: www.mspm.hr/
Office of the Ombudsman for Persons with Disabilities: www.posi.hr/
Croatian Union of Associations of Persons with Disabilities: www.soih.hr/
Croatian National Institute of Public Health: www.hzjz.hr

Italy

Ministry of Labour and Social Policies
www.lavoro.gov.it

Cyprus

Ministry of Labour and Social Insurance: www.mlsi.gov.cy
Department for Social Inclusion of Persons with Disabilities: www.mlsi.gov.cy/dsid

Latvia

Ministry of Welfare
www.lm.gov.lv

Lithuania

Ministry of Social Security and Labour and Department of Disabled People
http://www.ndt.lt/id-teises_aktai.html; <http://www.socmin.lt/>

Luxembourg

Ministry of Family Affairs and Integration
<http://www.mfi.public.lu/>

Hungary

<http://www.kormany.hu>

Malta

National Commission Persons with Disability (NCPD) website <http://www.knpd.org>.

The Netherlands

www.rijksoverheid.nl/onderwerpen/gehandicapten/gelijke-behandeling (Dutch)
www.rijksoverheid.nl

Austria

Federal Ministry of Labour, Social Affairs and Consumer Protection: www.bmask.gv.at
Disability Ombudsman: www.behindertenanwalt.gv.at
Monitoring Committee on the implementation of the UN Disability Rights Convention in Austria: www.monitoringausschuss.at
Austrian umbrella organisation of the organisations of people with disabilities – Österreichische Arbeitsgemeinschaft für Rehabilitation (ÖAR): www.oear.or.at

Poland

Ministry of Labour and Social Policy websites: www.mpips.gov.pl
<http://www.niepełnosprawni.gov.pl>

Portugal

The Ministry of Solidarity and Social Security
The National Institute for Rehabilitation, I.P. www.inr.pt

Romania

National Authority for Persons with Handicap: www.anph.ro

Slovenia

<http://www.mddsz.gov.si/en/legislation/>

<http://www.mddsz.gov.si/en/publications/>

Slovakia

Ministry of Labour, Social Affairs and Family of the Slovak Republic

www.employment.gov.sk

Finland

Electronic Treaty Data Base www.finlex.fi

Ministry of Foreign Affairs www.formin.fi

Ministry of Social Affairs and Health www.stm.fi

National Council on Disability www.vane.to

Sweden

Government's home page: www.sweden.gov.se

Contains an Easy Read version of the Convention, Braille and sign language.

UK

www.officefordisability.gov.uk

Contains English language Easy Read version of the Convention.

European Union

<http://ec.europa.eu/social/main.jsp?catId=1137&langId=en>

http://ec.europa.eu/justice/discrimination/law/index_en.htm

Other relevant websites

<http://www.un.org/disabilities/>

www.easpd.eu

www.handicap.dk

www.nrozp.sk

www.cnditalia.it

www.superando.it

www.edf-feph.org/

www.epr.eu

www.enil.eu

www.coface-eu.org

<http://www.un-convention.info/index.html>

Independent (part funded by the UK Government) UK website dedicated to promoting disabled persons human rights.

ANNEX 3: NORWAY'S CONTRIBUTION

A. Ratification of the UNCRPD

Norway ratified the UNCRPD in 2013. The Norwegian legislation complies with the Convention.

B. National implementation and monitoring

Each Government Ministry is responsible for disability matters within its field of competence. Norwegian policy has for many years had the same goals as the UNCRPD. The Ministry of Children, Equality and Social Inclusion coordinates the Government's disability policy and functions as focal point for UNCRPD matters.

The Equality and Anti-Discrimination Ombud is responsible for the enforcement of the Anti-discrimination Legislation in Norway. The Ombud is also responsible for the monitoring of the CRPD, CEDAW and CERD conventions. The Ombud is a free and independent body. See www.ldo.no

There are a number of mechanisms for participation of persons with disabilities and their representative organizations in disability issues.

On national level:

- Regular meetings on political level between the Government and representatives of the organizations of persons with disabilities several times a year.
- Additional Meetings on political and administrative level between individual Ministries and umbrella organizations or individual organizations from time to time and on specific issues.

On County Council and Municipal level:

- Each County Council and Municipal Council is obliged by law to have an advisory Council on Disability matters to ensure participation of persons with disability on important matters, including accessibility, discrimination and services. In addition to representatives of persons with disabilities representative of the County or Municipal Council often take part in these advisory councils.

Norwegian disability organizations receive an annual Government subsidy. In 2014 they received NOK 163,4 million.

The Ministry of Children, Equality and Social Inclusion coordinates the work with the implementation of the Convention, herein the state report to be transmitted to the Committee on the 3rd of July 2015. Civil society is among others involved in the work with the state report. The Norwegian Federation of Organizations of Disabled People (FFO) will on behalf of civil society coordinate the work with the preparation of the so-called "shadowreport".

C. Collecting statistics and /or developing indicators.

Statistic Norway (SSB) has the overall responsibility for providing statistics on Norwegian society and is also responsible for coordinating all official statistics in Norway. There is no

established official definition on disability to be used in preparation of all statistics. Thus disability is defined according to the purpose of the statistics. Eurostat has developed a questionnaire (European Disability and Social Integration Module) which partly has been integrated in the living condition survey on health (Health Interview Survey).

However, SSB prepares several statistics which include markers on disability, some of them may also be disaggregated by gender and age. Some examples: The Labour Force Survey, the Population and Housing Census, and Living Conditions Survey on Health in Norway. Norway also conducts the EU-SILC, which might be disaggregated on disability. Research projects are implemented by the government to supplement and improve official statistics.

D. Actions for a Disability-inclusive development cooperation implementing Article 32 UNCRPD

1. Strategy/guidelines on Strategy/guidelines on the integration of disability matters in development cooperation and the international human rights policies

The Norwegian Ministry of Foreign Affairs has developed a plan for the integration of persons with disabilities in the development cooperation. The plan adopts a human rights-based approach to inclusion of disability issues, and outlines ways of ensuring the integration of disability, both normatively and operationally, in Norway's development efforts.

2. How to ensure the integration of disability issues in the development cooperation

Norway's development policy is founded on a human rights-based approach, which means that it is guided by international human rights conventions, including the UNCRPD. When it comes to the aid channelled through multilateral donors, such as UNDP and UNICEF, as well as civil society partners in Norway and at local level in recipient countries, Norway uses its influence and relevant seats in executive boards etc. to underline the need to include persons with disabilities in relevant programmes. For instance, Norway has expressed an interest in further strengthening the focus on children with disabilities in UNICEF's education policies.

When it comes to providing development aid to civil society organisations, Norway has a close cooperation with the Disabled Persons Organisation Atlas Alliance, which provides development aid to a range of partners in the South. Further, Norway seeks to ensure that the rights of persons with disabilities are included in the work of organisations receiving funding for projects related to education, health or gender equality. Finally, Norway plays an active role in promoting disability issues in the ongoing UN post 2015 global Sustainable Development Goals process.

3. Involvement of persons with disabilities in development cooperation policies/programmes?

Norway works closely with the DPO The Atlas Alliance, both by providing substantial funding to their activities and by consulting with their representatives on matters pertaining to disability and how to best include persons with disability in development cooperation.

4. Example of integration of disability and accessibility issues in humanitarian and emergency aid

Norway is actively involved in the international efforts to promote humanitarian disarmament, and in this context focuses on the inclusion of and the rights of persons with disabilities. Norway participates actively in the international cooperation under the Ottawa Convention on the use of mines and the Convention on Cluster Munitions. Both Conventions oblige States to provide assistance to rehabilitation and social and economic integration of victims. Norway had the presidency of the latter Convention in 2012-2013.

5. Cooperation with European Union Member States and/or the EU

Norway works both multilaterally and bilaterally with these issues. There is, however, little cooperation directly with EU member states when it comes to development cooperation.

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