



Draft MINUTES of the EU Disability High Level Group meeting

8 and 9 April 2014

Chair: Johan ten Geuzendam (Acting HoU JUST.D.3)
Secretariat: Els Mortier (Legal and Policy Officer JUST.D.3)
Logistics: Catherine Koeckx (Assistant JUST.D.3)

8 April – Morning

Meeting with Member States' representatives

1. Welcome and presentation of the agenda

The Chair opened the meeting, welcomed the participants, explained the linguistic regime and presented the agenda. The Chair also informed about an additional item under point 3: a debriefing of the Swedish examination by the CRPD Committee given by Lars X. Nilsson.

The agenda was adopted.

2. Approval of the minutes of the HLG meeting of 23-24 October 2013

The minutes of the meeting of 23 and 24 October 2013 were approved.

3. UNCRPD

a. The 7th Session of the Conference of State Parties

The Commission presented the preparations for the 7th session that will take place on 10-12 June 2014 in New York. Bulgaria will be part of the Bureau.

The Session will consist of an informal panel on "Youth with Disabilities" and two informal panels on (1) "Incorporating provisions of the CRPD in the post 2015 development agenda" and (2) "National implementation and monitoring".

The Commission is currently preparing the statements that will be shared in advance with Member States through COHOM.

DK and PL also informed about their nomination of candidates for the elections of the Committee.

The Chair concluded that coordination at EU level will be done through COHOM and mentioned that there will be a last coordination meeting on the spot before the start of the session.

b. Debriefing of the Swedish examination by the CRPD Committee

Consideration of the Swedish report by the CRPD Committee took place from 31 March until 1 April 2014. The SE member gave information about the 46 questions presented by the Committee, the practical preparation, the structure of the meeting and the overall experience. The Swedish answer was given at the end of December 2013 and DPOs presented their views in January 2014. The Swedish delegation at the meeting was led by the Director-General for Administrative Affairs at the Ministry of Health and Social Affairs and there were 17 participants from other Ministries including Justice, Foreign Affairs, Education, Employment, Enterprise, Transport and communications, and Rural Affairs.

Questions were asked and observations were made by IT, AT, FR, ES and HU.

4. InclEUusive Card (European-model Disability Card)

The Commission presentation the progress made by the Project Working Group (PWG) since the last meeting of the DHLG in October 2013. The Project Working Group met twice on 29 October 2013 and on 26 February 2014. As a follow-up to the last meeting PWG members were asked to:

- continue discussions with relevant actors and to send more precise and concrete details and additional information on the package of benefits;
- clarify to the extent possible which entity will be submitting the proposal after the launch of the call for proposals;
- clarify and/or give more precise information on the eligibility criteria for receiving national cards and/or certain benefits and to give an operational definition of disability;
- make an estimate of the costs for the production, printing and issuing of the card in their respective countries during the first two years of operation. This estimation should contain an indication of the number of cards likely to be needed;
- give a description of elements that would be essential for their country to be mentioned on the card and on the type of card that would be needed.

The Commission stressed that still more progress is needed on these points in the respective participating countries and that this will condition the timing by the Commission of a possible call for proposal and call for tender, to support the preparatory phase of the card.

Questions and observations by IT, LUX, FR related to the role of local authorities, the relation of the InclEUusive card with other existing cards and the costs of the card.

5. Parking card for people with disabilities

The Commission explained that the accession of Croatia to the EU on 1 July 2013 requires amending the Council Recommendation. A discussion on other aspects that could be considered for the upcoming amendment was initiated, in particular regarding geographical coverage, administrative organisation and the EU-model card itself. Many members are still considering their position. There was no general support to a substantial revision of the instrument, however Member States tended to agree that some

aspects could be considered with a view to clarify and precise the Recommendation's content. The Commission indicated that in order to obtain a more complete overview of the preferences of the Member States, a short focussed questionnaire could be foreseen in the near future. In the meantime at national level it may be useful for members to continue exploring with the relevant departments the questions contained in the meeting document that was uploaded in CIRCABC on 24 March 2014.

Observations were made by BE, ES, FR, LUX, PL, BG, HU, DK, SE and UK.

The Commission mentioned the SIMON project that was launched by DG CNECT to explore opportunities of new technological solutions for the development of electronic disability parking cards and control systems that would tackle the problems of fraud and abuse, but further information on it was provided during the meeting with civil society.

Finally, the Commission asked to verify the list of National Contact Points and indicated that the possibility of revising the informative brochure is being explored to bring it up to date and to include Croatia and possibly also the EEA countries.

6. The European Accessibility Act and the adoption of standard EN 301 549

The Commission informed about the meeting that was organised on 3 December by VP Reding with industry representatives in order to gather their views on accessibility matters.

With regard to the European Accessibility Act, the Commission indicated that the services are fine tuning the text and are waiting for instructions on the next steps.

The Commission Mandate 376 resulted in the adoption on the European Standard EN 301 549 'Accessibility requirements suitable for public procurement of ICT products and services in Europe' in February 2014. In the meantime, the US is reviewing their standards on ICT accessibility under section 508 of the Rehabilitation and Telecom Act.

Furthermore, the Commission gave an update on the standardisation mandate on mainstreaming accessibility following design for all which is ongoing with a view to developing a standard on the process of including accessibility in manufacturing processes and the service provision processes.

The Commission informed that the request to form national delegations will be made soon and DHLG members are invited **to get in touch with the national standardisation bodies** in order to make sure that delegations represent a balanced mix of stakeholders (industry, users and public authorities).

Questions and observations were made by HU and AT, including with regard to the Council Working Group that would be dealing with the Accessibility Act.

7. Update on main developments in Member States

FR presented the latest developments regarding accessibility in France and in particular regarding the delay in implementing the Accessibility part of the Law of 11 February 2005 for Equal Rights and Equal Opportunities. A new dialogue with all concerned stakeholders will be organized and Programmed Accessibility Agendas (Ad'AP) will be implemented.

UK updated on the Disability Action Alliance: an alliance of disabled peoples' organisations, civil society, business and government that is developing and delivering projects of benefit to disabled people. Information was also given on the new project on a Disability Assisted Living Technology Challenge prize that aims to encourage small inventors to work with disabled people to improve existing assisted living products or develop new ideas.

SE informed about a proposal for new legislation on accessibility and reasonable accommodation in education and the labour market and on a decision to set up the Agency for Inclusion that will start working on 1 May 2014.

ES presented the revised Spanish Law on rights of persons with disabilities and their social inclusion that was approved in November 2013 and that consolidates three existing laws.

HU informed about changes in the definition of disability in accordance with the UNCRPD and the new Civil Code that introduces the concept of supported decision-making.

FI informed that the ratification of the UNCRPD is expected before spring 2015.

The chair encouraged DHLG members to use DHLG meetings more regularly to inform the others members about the recent developments in their respective countries.

8 April – Afternoon

Joint meeting with representatives of civil society

8. Welcome and presentation of the agenda

The chair welcomed the participants and presented the agenda. The chair informed that info points 18b (Sign language project) and c (Access City Award) will be dealt with on 8 April at the end of the meeting instead of 9 April.

9. Approval of the minutes of the DHLG meeting of 23-24 October 2013

The minutes of the last DHLG meeting of 23 and 24 October 2013 are approved.

10. UNCRPD

a. EU report on the implementation of the UNCRPD (Article 35)

The Commission presented the state of play of the preparation, consultations and submission of the report and gave some information about its content. The report is in the final stage of finalisation before its adoption as a Staff Working Document. The inter-service consultation was launched on 25 March and closed on 15 April 2014. Following the Code of Conduct, the Commission will share the report with the Member States (via COHOM) for information before submission to the UN. The report is expected to be submitted to the UN before summer 2014 (the UN Secretariat had been informed about the delay in submission).

Some observations were made by EDF, AT and EASPD.

b. Preparation of the next Work Forum

The Commission presented the results of the last meeting of the Work Forum that took place in October 2013.

The Commission also made the following suggestions for possible topics for the next Work Forum that is scheduled to take place on 22 (afternoon) and 23 October 2014 (back to back to the next DHLG meeting on 21 and 22 October (morning)):

- **Implementation of the UNCRPD** (further experiences and developments in the Member States: strategies /actions plans, disability mainstreaming and budgeting, follow-up of the Committee's examination);
- **Reporting to the UNCRPD Committee** (further experiences of preparing the State report, the EU report, alternative reports, examination by the UNCRPD Committee);
- **Monitoring** (tools, statistics and development of indicators);
- **Protection** (further examples from the practice, strategic role of civil society, DPOs and monitoring mechanisms, the judiciary and interaction with other remedies and mechanisms, capacity building and awareness-raising);
- **The EU Framework** (complementarity and cooperation with national Frameworks);
- **Mainstreaming disability** in the international human rights system; possible synergies with other treaty bodies;
- **Interpreting the UNCRPD** (guidance from the UN Committee, role of civil society and the monitoring frameworks).

DHLG Members are invited to reflect on these topics and to send their comments and ideas by **20 May 2014**. DHLG members were also encouraged to indicate whether they want to participate in one of the panels to present the specific experience of their country/organisation.

Observations were made by IT, EDF and LUX.

c. The 7th Session of the Conference of State Parties

The Commission presented the preparations for the 7th session that will take place on 10-12 June 2014 in New York. The Bureau will be chaired by Kenya. Bulgaria will be part of the Bureau.

The Session will consist of an informal panel on Youth with Disabilities and two informal panels on (1) Incorporating provisions of the CRPD in the post 2015 development agenda and (2) National implementation and monitoring.

The Commission is currently preparing the statements that will be shared in advance with Member States through COHOM.

The Commission also informed that an EU side event will be prepared and discussions are taking place with EDF.

d. Preparation of the 7th DHLG Report on the implementation of the UNCRPD

The Commission informed that the 6th DHLG report was presented to the Justice and Home Affairs Council meeting in Brussels on 3 and 4 March 2014 (info point under any other business).

In order to enhance the visibility of disability in the EU 2020 strategy and to link the 7th DHLG report with the mid-term review of EU 2020 launched by the Commission in March 2014, the Commission suggested as a thematic focus "People with disabilities in the Europe 2020 strategy for smart, sustainable and inclusive growth". Therefore, the 7th report could provide a basis for targeted conclusions and recommendations from the DHLG on the review of the Europe 2020 strategy in 2015.

In order for the 7th report to feed into the consultation process for the review of the EU2020 the report should be finalised in early October 2014.

Questions and observations were made by DE, FR, EDF, EASPD and LUX. In general, the proposed thematic was welcomed.

The Commission indicated that a questionnaire will be prepared and sent in the coming weeks.

11. The European Accessibility Act and the adoption of standard EN 301 549

The Commission informed about the meeting that was organised on 3 December by VP Reding with industry representatives in order to gather their views on accessibility matters.

With regard to the European Accessibility Act, the Commission indicated that it is fine tuning the text and waiting for instructions on the next steps.

The Commission Mandate 376 resulted in the adoption on the European Standard EN 301 549 'Accessibility requirements suitable for public procurement of ICT products and services in Europe' in February 2014. In the meantime, the US is reviewing their standards on ICT accessibility under section 508 of the Rehabilitation and Telecom Act.

Furthermore, the Commission gave an update on the standardisation mandate on mainstreaming accessibility following design for all which is ongoing with a view to developing a standard on the process of including accessibility in manufacturing processes and the service provision processes.

The Commission informed that the request to form national delegations will be made soon and DHLG members are invited **to get in touch with the national standardisation bodies** in order to make sure that delegations represent a balanced mix of stakeholders (industry, users and public authorities).

EDF expressed its concern about the delay in adopting the proposal on the European Accessibility Act.

12. European Structural and Investment Funds – General and Disability aspects

The Commission presented the general rules, novelties and key concepts of the new Regulations for the European Structural and Investment Funds for 2014-2020 and how they can be better used to promote the inclusion of persons with disabilities and accessibility.

The reformed Cohesion policy is now also aligned to the Europe 2020 strategy objectives of smart, sustainable and inclusive growth.

There are a number of novelties in the general aspects (such as partnership principle, programming, monitoring and ex-ante conditionalities) as well as in aspects that are directly relevant for disability policy.

Funding of investments in the area of equality, non-discrimination and accessibility is foreseen as well as horizontal integration of equality of men and women and non-discrimination across all activities.

The Commission also informed about the thematic ex-ante conditionality TO9 and two relevant general ex-ante conditionality provisions on anti-discrimination and disability.

With regard to ESF, The Commission explained that 20% of the resources in each Member State should now be used for social inclusion, fight against poverty and any discrimination.

Observations were made by EDF, EASPD and AT.

18. Info Points

a. Sign Language pilot project

The Commission gave information about the progress of the project including the first demonstration of the pilot application taking place in the European Parliament on the occasion of a conference organised by the European Union of the Deaf (EUD) just immediately following the DHLG meeting.

b. Access City Award 2015

The Commission presented the brochure of the Access City Award 2014 and gave information about the modalities for participation in the competition for the Access City Award 2015. The launch of the fifth edition of the award will take place in May 2014. The guidance note and the participation rules will be available in all official EU languages on the EUROPA website. The Commission informed that the winner of the Access City Award 2015 will be announced on 3 December 2014 in Brussels (the ceremony is a part of the annual European Day of People with Disabilities Conference).

c. Report on results of four pilot projects on employment of persons with autism

The Commission gave information about the recent publication of the report. On the occasion of the World Autism Awareness Day on Monday 2 April the European Commission published a report about four projects that were carried out during 2011-2013 to improve the employment situation of people with autism. These projects provide practical ideas about how to better involve people with autism in paid employment. The projects were carried out in Bulgaria, Germany, Denmark, Poland, UK, Spain and Italy.

9 April - Morning

Joint meeting with representatives of civil society (9.00 -13.00)

13. InclEUusive Card (European-model Disability Card)

The Commission presentation the progress made by the Project Working Group (PWG) since the last meeting of the DHLG in October 2013. The Project Working Group met twice on 29 October 2013 and on 26 February 2014. As a follow-up to the last meeting PWG members were asked to:

- continue discussions with relevant actors and to send more precise and concrete details and additional information on the package of benefits;
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The Commission stressed that still more progress is needed on these points in the respective participating countries and that this will condition the timing by the Commission of a possible call for proposal and call for tender, to support the preparatory phase of the card.

14. Parking card for people with disabilities

The Commission presented the project SIMON, its main objectives, the partners involved, testing sites, project plan and state-of-play. The Project was launched following a call by DG CNECT under the Programme of the Competitive and Innovation Programme (CIP) ICT Policy Support Programme (PSP) Work Programme 2013.

The project started on 1 January 2014 and will last for 3 years. SIMON aims at using ICT for reducing fraud with the European model Parking Card and proposes specific multimodal navigation solutions for elderly and people with disabilities.

15. European Semester – state of play

The Commission presented the state of play of the European Semester process and gave information on JUST D.3 involvement in the European Semester process from a disability perspective (through contributions to the preparation of the Staff Working Documents (SWDs) and the CSR proposals). JUST D.3 makes systematically use of information and data of the Academic Network of European *Disability* experts (*ANED*) provided through its national reports on the situation of people with disabilities in relation to the above mentioned EU 2020 targets.

The Commission asked DHLG members to reflect on how the information base for disability related contributions can be broadened throughout the year, how Member State experts be more involved on a regular basis for the supply of information, and whether the DHLG can contribute to the work of EMCO or SPC by making recommendations.

Observations were made by FR, ES, EWL, EDF, EASPD, BG, BE, FI and AUT. One concrete suggestion related to sending the 7th DHLG report to the SPC and EMCO and to have a presentation of the DHLG chair on one of the SPC or EMCO meetings.

16. Disability issues in the post-2015 development agenda

The Commission presented the state of play of the work with the Member States on the preparation of the post 2015 agenda. In the UN, the Open Working Group (chaired by Kenia and Hungary) established by the General Assembly to steer the formulation of the proposal on sustainable development goals (SDGs) is identifying focus areas and thematic clusters. In several focus areas disability matters have been indicated. The Commission also informed that for the preparation of the ninth session of the Open Working Group of March 2014, Member States have identified SDGs and accompanying targets with some references to disability matters. Information on the outcome of meeting is not available yet and will follow later.

The Commission indicated that in parallel, the EU is also having its own reflection process and that there is a strong correlation between topics discussed in the Open Working Group and the EU group. DHLG members are encouraged to contact their counterparts in order to address disability issues in relevant documents. The Commission also highlighted the link of this work with the panel on the post-2015 development agenda in the June 2014 Conference of State Parties.

Finally, the Commission referred to the references to accessibility and the UNCRPD in several of the recently adopted development financing programmes.

17. Political Participation

a. Joint ANED and FRA survey on political participation

FRA and ANED representatives gave a presentation of the data that have been collected in the framework of the joint survey on political participation across the 28 EU Member States in close cooperation with the Commission. The survey aims to refine and populate indicators in the area of political participation by persons with disabilities with a focus on elections. Data collection has been divided between FRA and ANED. The summary report is now available and the full report will be available before the EP elections.

One of the key messages resulting from the analysis is that giving an accessible and enabling environment, persons with disabilities are keen to be engaged in politics. Another message is that significant barriers to the realisation of the right to political participation for persons with disabilities remain, such as legal and accessibility obstacles and that these barriers do not affect all persons with disabilities equally. Furthermore, the analysis shows that DPOs are increasingly being consulted and involved by public authorities as they take steps to implement the CRPD. The analysis also shows a lack of training and awareness raising efforts for important actors on how to fulfil the right of persons with disabilities to political participation. Finally, the data collection process revealed a lack of systematic data collection and an absence of standards and guidelines for measuring accessibility.

Observations were made by DK, HU, AT, LUX, SE, FI, EWL, EDF, PT and EASPD.

b. EDF Manifesto for the European elections

The EDF representative gave a presentation of its manifesto for the 2014 European elections, containing the key priorities to be included into the electoral programmes (including the reform of EU economic recovery policies, making goods and services accessible for all and the swift ratification of the Optional Protocol to the UN Convention).

18. Info Points

a. Proposal for a Directive of the European Parliament and of the Council on the accessibility of public sector bodies' websites

The Commission informed about the EP report on the proposal for a Directive on the accessibility of public sector bodies' websites that was adopted on 3 December 2012 by the Commission.

b. Marrakech Treaty

The Commission presented the state of play of signature of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled. A proposal for a Council Decision on the signature of the Treaty was adopted on 19 March 2014 and formal adoption is expected on 14 April 2014. The Commission informed that discussions on the issue of competence are pending.

19. AOB

The Council of Europe (CoE) gave information about an initiative on the development of a disability perspective in disaster preparedness and response.

EASPD referred to its (and EDFs) active involvement in this issue and explained that a conference will be organised by a CoE-led working group on 4 and 5 December (back-to-back with the EDPD conference). The purpose is to assess to what extent a disability perspective can be integrated in the four stages of disaster management (preparation/prevention, intervention, post-disaster intervention and long-term recovery). EASPD will circulate three questionnaires to national authorities, DPOs and specialised support providers in order to see to what extent they are involved in this topic.