

AN EQUINET PERSPECTIVE

REALISING RIGHTS: EQUALITY  
BODIES AND PEOPLE WITH  
DISABILITIES. SUPPORTING THE  
REVIEW OF THE EUROPEAN  
DISABILITY STRATEGY 2010-2020

VERSION FRANÇAISE AU VERSO

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*Realising Rights: Equality Bodies and People with Disabilities. Supporting the Review of the European Disability Strategy 2010-2020. An Equinet Perspective* is published by Equinet, the European Network of Equality Bodies.

**Equinet** brings together 42 organisations from 32 European countries which are empowered to counteract discrimination as national equality bodies across the range of grounds including age, disability, gender, race or ethnic origin, religion or belief, and sexual orientation. Equinet works to enable national equality bodies to achieve and exercise their full potential by sustaining and developing a network and a platform at European level.

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## Introduction

The European Disability Strategy 2010-2020 is at its halfway mark and is under review.<sup>1</sup> The list of actions developed for implementing this strategy for the first five years is coming to a close and will need to be reviewed and renewed for the second five years of the strategy.<sup>2</sup> Equinet is seeking to contribute to this review and to the renewal of the list of actions with the publication of this perspective.

This perspective has been developed on the basis of a survey of Equinet members about their work with people with disabilities. It seeks to capture the focus and strategy of the work of equality bodies across different Member States and to communicate learning from this that would be relevant for the further evolution of the European Disability Strategy at this point of review and renewal.

Equinet previously published an opinion on EU level disability strategies. This was to communicate the learning from the work of equality bodies to the European Commission as the process of preparing the strategy was underway.<sup>3</sup> This opinion suggested five areas that the new strategy could usefully address:

- Reasonable accommodation, including developing guidance for employers and education and training providers and supporting the awareness of rights to reasonable accommodation among people with disabilities;
- Advocacy, including publishing a compendium of good practice in advocacy services to people with disabilities and conducting a study on the participation of people with disabilities in decision making in politics, business and public sector institutions;
- Tools for equality, including: Enacting the proposed Equal Treatment Directive on Discrimination outside of the labour market; introducing a requirement in law on public bodies in Member States to have due regard to equality in carrying out their functions; publishing case studies of good practice by NGOs and trade unions in supporting implementation of equal treatment legislation; developing disability mainstreaming; establishing standards for services to people with disabilities; and developing data systems;
- Stereotyping, including reporting on the nature and extent of stereotyping of people with disabilities and on good practice to combat this stereotyping within educational establishments;
- Multiple discrimination, including preparing reports to establish the particular experience and situation of people with disabilities at the intersections with other grounds and taking action to support service

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<sup>1</sup> European Disability Strategy 2010-2020: A Renewed Commitment to a Barrier-Free Europe, Communication from the Commission to the European Parliament, the Council, The European Economic and Social Committee, and the Committee of the Regions, COM(2010) 636 final, Brussels, 2010 - <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52010DC0636&from=en>

<sup>2</sup> A Renewed Commitment to a Barrier-Free Europe: Initial plan to implement the European Disability Strategy 2010-2020: List of Actions 2010-2015, Commission Staff Working Document, SEC(2010) 1324 final, Brussels, 2010 - <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52010SC1324&from=EN>

<sup>3</sup> Towards a New European Union Disability Action Plan, An Equinet Opinion, Brussels, 2009 - [http://www.equineteurope.org/IMG/pdf/EN\\_-\\_Towards\\_a\\_new\\_European\\_Union\\_Disability\\_Action\\_Plan.pdf](http://www.equineteurope.org/IMG/pdf/EN_-_Towards_a_new_European_Union_Disability_Action_Plan.pdf)

providers to people with disabilities to take account of these intersections.

Equinet has published a good practice guide for equality bodies for their work of supporting good practice by employers and service providers in making reasonable accommodation for people with disabilities.<sup>4</sup> This was a response to the potential arising from the requirements under equal treatment legislation, of employers and service providers to make reasonable accommodation for people with disabilities, and to the limited practice literature available on this topic.

Forty two equality bodies, members of Equinet, in thirty two countries, were invited to complete a survey on their work to inform this perspective. Twenty one equality bodies from twenty one countries completed this survey.<sup>5</sup> All but two of these equality bodies had mandates that covered a number of different grounds. The two equality bodies with a single ground mandate were focused on the ground of disability and were from Austria and Malta. One equality body (Office of Ombudsman in Croatia) reported that its mandate did not cover the disability ground as another body plays that role. The questionnaire for this survey is included as an appendix to this report.

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<sup>4</sup> Equality Bodies Supporting Good Practice on Making Reasonable Accommodation for People with Disabilities in Employment and Service Provision, An Equinet Good Practice Guide, Brussels, 2013 - [http://www.equineteurope.org/IMG/pdf/final\\_guide.pdf](http://www.equineteurope.org/IMG/pdf/final_guide.pdf)

<sup>5</sup> Austria, Belgium, Bulgaria, Cyprus, Czech Republic, France, Hungary, Ireland, Latvia, Luxembourg, Macedonia, Malta, Northern Ireland, Norway, Portugal, Romania, Serbia, Slovakia, Slovenia, Sweden

# Chapter 1: The EU Disability Infrastructure

The European Treaties underpin the work of the European Commission on disability issues. Article 10 of the Treaty on the Functioning of the European Union commits the EU to combatting discrimination on the ground of disability, among other grounds, in defining its policies and activities. Article 19 accords a competence to the EU to take appropriate action to combat discrimination based on disability, among other grounds.

Article 6 of the Treaty on European Union gives the Charter of Fundamental Rights of the European Union the same legal value as the Treaties. The Charter binds the institutions, bodies, offices and agencies of the European Union. It also applies to Member States when they are implementing European Union law. The Charter is invoked in the current disability strategy of the European Commission but does not appear to be a focus for activity. Equality bodies have yet to develop strategies to give life to the Charter at Member State level.

The Charter encompasses economic, social, cultural, civil and political rights in six key fields, all of which have relevance for people with disabilities:<sup>6</sup>

- Dignity, including the prohibition of torture and inhuman or degrading treatment or punishment.
- Freedoms, including the right to education and freedom to choose an occupation and engage in work.
- Equality, including non-discrimination and integration of persons with disabilities. Article 26 of the Charter specifically states ‘The Union recognises and respects the right of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community’.
- Solidarity, including fair and just working conditions, social security and social assistance, and health care.
- Citizen’s Rights, including the right to good administration.
- Justice, including the right to an effective remedy and a fair trial.

The President of the European Commission, Jean-Claude Juncker, has placed the Charter at the heart of European policy making.<sup>7</sup> Ensuring that the European Union is ‘an area of justice and fundamental rights based on mutual trust’ is one of ten policy areas that he has prioritised. Vice-President Timmermans has overall responsibility for ensuring every Commission proposal and initiative complies with the Charter. European Commissioner Jourova for Justice, Consumer Affairs and Gender Equality has been accorded specific responsibility in this regard.

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<sup>6</sup> Charter of Fundamental Rights of the European Union, 2010/C 83/02 - <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:0389:0403:en:PDF>

<sup>7</sup> Juncker J-C, A New Start for Europe: My Agenda for Jobs Growth, Fairness and Democratic Change, Political Guidelines for the Next European Commission, Opening Statement to the European Parliament Plenary Session, Strasbourg, 15<sup>th</sup> July 2014 - [http://ec.europa.eu/priorities/docs/pg\\_en.pdf](http://ec.europa.eu/priorities/docs/pg_en.pdf)

The European Disability Strategy was published in 2010 for a ten year period.<sup>8</sup> This strategy addresses eight action areas:

- **Accessibility:** with a focus on optimizing the accessibility of the built environment, transport and ICT; on ensuring accessibility of products and services; on encouraging incorporation of 'design for all' in professional training; and on fostering EU-wide market for assistive technology.
- **Participation:** with a focus on exercising rights as individuals, consumers, students, economic and political actors; on the transition from institutional to community based care; and on accessibility of sports, leisure, cultural and recreational organisations, activities and events.
- **Equality:** with a focus on using EU legislation to provide protection from discrimination and to promote equal opportunities in EU policies; on implementing the European Union Framework Employment Directive; and on supporting and supplementing Member State policies and programmes to promote equality.
- **Employment:** with a focus on exploiting the full potential of Europe 2020 and its Agenda for New Skills and Jobs flagship initiative; on improving knowledge of the employment situation of people with disabilities; on the transition of young people with disabilities from education to employment; on intra-job mobility in the open labour market and in sheltered workshops; on self-employment and quality jobs; and on promoting diversity management within companies.
- **Education and training:** with a focus on supporting inclusive, quality education and training under the Youth on the Move initiative of Europe 2020; and on increasing knowledge of education levels of and opportunities for people with disabilities.
- **Social protection:** with a focus on addressing income inequality and poverty of people with disabilities through the European Platform against Poverty of Europe 2020; on assessing the adequacy and sustainability of social protection systems; and support through the ESF for people with disabilities.
- **Health:** with a focus on policy development for equal access to healthcare including quality health and rehabilitation services for people with disabilities.
- **External action:** with a focus on enlargement, neighbourhood and development programmes.

The European Commission prepared an action plan to give effect to this strategy.<sup>9</sup> This comes to an end in 2015. In the section on Equality, this included commitments to 'promote the attention to disability matters in equality bodies notably through Equinet', 'provide guidance on reasonable accommodation for

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<sup>8</sup> European Disability Strategy 2010-2020: A Renewed Commitment to a Barrier-Free Europe, Communication from the Commission to the European Parliament, the Council, The European Economic and Social Committee, and the Committee of the Regions, COM(2010) 636 final, Brussels, 2010 - <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52010DC0636&from=en>

<sup>9</sup> A Renewed Commitment to a Barrier-Free Europe: Initial plan to implement the European Disability Strategy 2010-2020: List of Actions 2010-2015, Commission Staff Working Document, SEC(2010) 1324 final, Brussels, 2010 - <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52010SC1324&from=EN>

people with disabilities addressing employers and service providers’, and ‘raise awareness among trade unions on the concept of reasonable accommodation’.

The Europe 2020 strategy is a prominent focus in the European Disability Strategy.<sup>10</sup> This core European Union policy established three priorities for the period 2010 to 2020: Smart growth – developing an economy based on knowledge and innovation; Sustainable growth – promoting a more resource efficient, greener and more competitive economy; and Inclusive growth – fostering a high-employment economy delivering economic, social and territorial cohesion.

The European Disability Strategy seeks to contribute to the Europe 2020 targets on employment, education and poverty reduction. Some progress has been made on the Disability Strategy through the Europe 2020 strategy with Country Specific Recommendations issued regarding people with disabilities that relate to institutional care, pensions, welfare and activation measures.

The Europe 2020 strategy is currently under review. Equinet published a discussion paper on the engagement of equality bodies with the Europe 2020 strategy. This included proposals for a deeper equality and non-discrimination focus in the Europe 2020 strategy to be included in the strategy as part of the current review of Europe 2020.<sup>11</sup>

The focus on people with disabilities in the Europe 2020 strategy could be further developed through this review as a result of a renewed focus on social factors promised by the new Commission. Jean-Claude Juncker has committed that ‘internal market provisions cannot be valued more highly than social provisions, which would otherwise just be minimum standards. The internal market does not automatically have priority; social factors must also play a role in Europe. (...) In future there will be no adjustment programmes unless they are preceded by a thorough social impact assessment’.<sup>12</sup>

The European Disability Strategy draws from the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).<sup>13</sup> Following the EU’s accession to the UNCRPD, the European Commission published its first report to the United Nations Committee on the Rights of Persons with Disabilities in June 2014.

The UNCRPD aims ‘to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity’. People with disabilities are defined to include ‘those who have long-term physical, mental, intellectual, or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others’.

The Convention is rooted in eight general principles:

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<sup>10</sup> Europe 2020 – A Strategy for Smart, Sustainable and Inclusive Growth, Communication from the Commission, COM(2010)2020 of 3 March 2010

<sup>11</sup> Crowley N., Equality Bodies and the Europe 2020 Strategy – A Discussion Paper, Equinet, Brussels, 2014 [http://www.equineteurope.org/IMG/pdf/eu2020\\_strategy.pdf](http://www.equineteurope.org/IMG/pdf/eu2020_strategy.pdf)

<sup>12</sup> Juncker J-C, A New Start for Europe: My Agenda for Jobs Growth, Fairness and Democratic Change, Political Guidelines for the Next European Commission, Opening Statement to the European Parliament Plenary Session, Strasbourg, 15<sup>th</sup> July 2014 - [http://ec.europa.eu/priorities/docs/pg\\_en.pdf](http://ec.europa.eu/priorities/docs/pg_en.pdf)

<sup>13</sup> Convention on the Rights of Persons with Disabilities, United Nations - <http://www.un.org/disabilities/convention/conventionfull.shtml>



- Respect for inherent dignity, individual autonomy including the freedom to make one's own choices, and independence of persons;
- Non-discrimination;
- Full and effective participation and inclusion in society;
- Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;
- Equality of opportunity;
- Accessibility;
- Equality between men and women;
- Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities.

The UNCRPD covers a broad range of themes including equality and non-discrimination. It addresses civil, political, economic, social and cultural rights. This broad agenda has a more prominent role for equality bodies that are now participating in monitoring the implementation of the Convention.

The European Union disability infrastructure includes important institutional elements. The European Commission's Disability Unit has moved from DG Justice to DG Employment, Social Affairs and Inclusion. Officers in this unit are assigned to follow particular countries. The European Commission convenes a High-Level Disability Group. This includes officials from Member State administrations. The European Commission funds an academic network that is involved in data collection.

Further developments of this infrastructure are under discussion. The European Disability Strategy committed to giving consideration to proposing a 'European Accessibility Act'. This would 'improve the proper functioning of the internal market for accessible products and technologies' and focus on removing barriers in the market and the sale of accessible products. Its aims are predominantly business-oriented.

The 2008 proposal for a horizontal Directive to cover discrimination on the ground of disability, among other grounds, in areas outside the labour market is still under consideration and could now be progressed.<sup>14</sup> Jean-Claude Juncker has stated that 'discrimination must have no place in our Union, whether on the basis of nationality, sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, or with regard to people belonging to a minority. I will therefore maintain the proposal for a Directive in this field and seek to convince national governments to give up their current resistance in the Council'.<sup>15</sup>

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<sup>14</sup> Proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation, COM(2008) 426 final, European Commission, Brussels, 2008 - <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0426:FIN:EN:PDF>

<sup>15</sup> Juncker J-C, A New Start for Europe: My Agenda for Jobs Growth, Fairness and Democratic Change, Political Guidelines for the Next European Commission, Opening Statement to the European Parliament Plenary Session, Strasbourg, 15<sup>th</sup> July 2014 - [http://ec.europa.eu/priorities/docs/pg\\_en.pdf](http://ec.europa.eu/priorities/docs/pg_en.pdf)

## Chapter 2: Context for the Work of Equality Bodies

The context for the work of equality bodies on the disability ground has changed in two principal ways since the last Equinet opinion on disability issues. The economic crisis is the first significant change with its accompanying austerity policies. The ratification of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) is the second.

Ten equality bodies identified issues in relation to austerity. Only one of these equality bodies referred to measures taken in their Member State to protect people with disabilities from the impact of austerity. One equality body noted that inequality gaps had reduced but that this was due to a disimprovement in the situation of the general population rather than an improvement in the situation of people with disabilities.

The issues raised by the equality bodies on the impact of austerity policies on people with disabilities included:

- Limited job opportunities for people with disabilities and high risk of unemployment.
- Reluctance among employers to invest in reasonable accommodation for employees with disabilities.
- Loss of income for people with disabilities.
- Cutbacks in services to people with disabilities.
- Stricter testing regimes for access to disability benefits and services.
- Limitations and delays in access to financial aid, allowances and care benefits.
- Lack of necessary supports for people with disabilities.
- Targets for participation and inclusion of people with disabilities not being met or being pushed back in time.
- State not fulfilling specific commitments previously made to people with disabilities.
- Lack of implementation of national disability strategies.
- Mainstreaming of people with disabilities in education being diminished.
- Crisis used as an excuse for inaction on disability issues.
- Slow development in the protection of rights of people with disabilities.
- Cuts in funding for equality bodies.

The situation of people with disabilities is seen to have deteriorated as a result of the economic crisis according to many of the equality bodies. The impact of austerity policies on people with disabilities is viewed in some instances as disproportionate. People with disabilities have been rendered invisible. Their participation in society has been compromised with cutbacks in funding and key services. The additional costs of disability are not given consideration. Poverty has increased for people with disabilities. There is a cultural shift in some Member States back to a charity model and away from an understanding of people with disabilities holding rights.

The European Disability Strategy identifies a concern in relation to poverty for people with disability. The commitment to action on social protection includes a focus on addressing income inequality and poverty of people with disabilities through the European Platform against Poverty of Europe 2020 and on assessing the adequacy and sustainability of social protection systems and support through the ESF for people with disabilities. This area of work will need to be deepened and expanded after reviewing the strategy given the context that has been created by austerity policies across many Member States and the need for new investment in participation by people with disabilities.

Eight equality bodies reported that they play roles as independent monitoring mechanisms for the UNCRPD in their countries. Four further equality bodies reported new activities in engaging with structures established in relation to the UNCRPD in their country.

These new roles have expanded the brief of these equality bodies to encompass all the areas covered by the Convention. They have stimulated new initiatives by these equality bodies on the disability ground. These are at an early stage but have already included:

- Assessment of compatibility of national legislation with UNCRPD provisions.
- Background research on issues for people with disabilities including participation in political and public life; access to information; and statistics and data collection.
- Conducting surveys of the general public, people with disabilities and local government to prepare a monitoring document on implementation of the UNCRPD.
- Consultations with people with disabilities on obstacles and opportunities in relation to the fundamental rights covered by the UNCRPD.
- Training public officials on human rights principles.
- Development of indicators for UNCRPD implementation.
- Developing cooperation with Non-Governmental Organisations of people with disabilities.
- Raising public awareness of the equality body's role under UNCRPD.
- Engaging with the public authorities on the correct implementation of the UNCRPD.

Four of the equality bodies with responsibilities under the UNCRPD pointed to difficulties that they are encountering given the lack of additional resources to accompany these responsibilities. Two of these equality bodies point to difficulties due to the failure to incorporate the Convention into domestic law. One of these equality bodies highlights difficulties due to a lack of understanding of the UNCRPD and its requirements among public officials. One equality body suggested that the monitoring mechanism was inadequate and another reported that it had yet to be identified.

The UNCRPD could usefully come more centre stage in the future development of the European Disability Strategy. It sets a broad common agenda that Member States are bound to pursue and could provide a basis for shared strategies, mutual support and peer review between Member States. The monitoring of its implementation will throw up shortcomings, successes and challenges that could

inform priorities within the European Disability Strategy. UNCRPD jurisprudence and Concluding Observations could also serve as a valuable resource for all stakeholders in the further promotion of equality for people with disabilities.

## Chapter 3: Values in the Work of Equality Bodies

The European Disability Strategy is designed around a vision for people with disabilities that values their empowerment and their participation in society and the European economy. Accessibility, participation and equality are values evident in three of the areas for action in the Strategy. The Strategy is underpinned by a commitment to rights with particular reference made to the UNCRPD.

The valuing of equality has a particular relevance to equality bodies. It is predominantly addressed in the Strategy in terms of eliminating discrimination, including discrimination on more than one ground. It includes a focus on promoting diversity. The equality challenge is identified, however, in terms of fully implementing the Framework Employment Directive.

Equality bodies mainly express their vision for people with disabilities in terms of non-discrimination and equality, with a dominant focus on non-discrimination. Equality is valued in different terms, as:

- Non-discrimination with a particular focus on systemic or structural discrimination.
- Equal treatment, in effect non-discrimination.
- Human dignity and non-discrimination.
- Equal treatment plus reasonable accommodation.
- Realising full potential for people with disabilities, through appropriate support and adjustments if needed, and realising their full complement of human rights when participating in society and the workplace and when utilising services.
- Removal of the disadvantage experienced by people with disabilities.
- Participation in decision-making, society and mainstream employment and education.
- Equality as a step towards achieving independent living.

Equality bodies also call on values of human rights, participation, human dignity, solidarity, poverty eradication and independent living in defining their vision for people with disabilities.

Values are central to the European Union and could become even more so. Article 2 of the Treaty on European Union identifies that the European Union is founded on values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. 'These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail' according to this Article 2.

Values, particularly those reflected in the Charter of Fundamental Rights, have come more to the fore in the appointment process of the new European Commission. Jean-Claude Juncker, President of the European Commission, committed that, 'Our European Union is more than a big common market. It is also a Union of shared values, which are spelled out in the Treaties and in the Charter of Fundamental Rights. Citizens expect their governments to provide justice, protection and fairness with full respect for fundamental rights and the

rule of law. This also requires joint European action, based on our shared values. I intend to make use of the prerogatives of the Commission to uphold, within our field of competence, our shared values and fundamental rights, while taking due account of the diversity of constitutional and cultural traditions of the 28 Member States'.<sup>16</sup>

Vice President Timmermans, responding to questions at the European Parliament hearing, said 'the EU Charter of Fundamental Rights is the reflection of the common values and constitutional traditions of our Member States. EU institutions in all their actions and Member States when implementing EU law must respect and promote the Charter. Beyond that, the Charter has represented a giant step forward on the path to making the Union an area of common values'.<sup>17</sup>

These values should now come more centre stage in driving the European Disability Strategy, in particular values of non-discrimination, equality and participation. The value of non-discrimination needs to be applied across all areas, not just the fields covered by the Framework Employment Directive. Equality should be more than a specific area of action in the strategy. An overarching goal of achieving full equality in practice for people with disabilities is needed in all areas.

Participation should be underpinned by a strategy of disability mainstreaming. This needs to ensure that people with disabilities participate in all sectors and that equality and non-discrimination for people with disabilities is advanced in all policies and programmes. Legal duties on the public sector to have due regard to equality in carrying out their functions have been found to be useful in some Member States.

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<sup>16</sup> Juncker J-C, A New Start for Europe: My Agenda for Jobs Growth, Fairness and Democratic Change, Political Guidelines for the Next European Commission, Opening Statement to the European Parliament Plenary Session, Strasbourg, 15<sup>th</sup> July 2014 - [http://ec.europa.eu/priorities/docs/pg\\_en.pdf](http://ec.europa.eu/priorities/docs/pg_en.pdf)

<sup>17</sup> Answers to the European Parliament questionnaire to the Commissioner-Designate Frans Timmermans, Better Regulation, Inter-Institutional Relations, the Rule of Law and the Charter of Fundamental Rights - [http://ec.europa.eu/commission/sites/cwt/files/commissioner\\_ep\\_hearings/2014-ep-hearings-reply-timmermans\\_en.pdf](http://ec.europa.eu/commission/sites/cwt/files/commissioner_ep_hearings/2014-ep-hearings-reply-timmermans_en.pdf)

## Chapter 4: Strategies Pursued in the Work of Equality Bodies

The primary concern of equality bodies is to implement equal treatment legislation. This translates into a focus in their work on litigation, either hearing or mediating cases or supporting claimants in cases of discrimination. Equality bodies have specific roles and a particular contribution to make in this regard.

Casework is effective in removing the barrier of discrimination and enabling individuals with disabilities to participate in all sectors covered by the equal treatment legislation. A critical mass of casework can stimulate a culture of compliance thus creating an environment more open to inclusion of people with disabilities. Case law reviews have also been prepared on relevant case law to inform practice by employers and service providers.

Equality bodies, particularly `promotion type equality bodies and those that combine promotion type and tribunal type functions, reported a wider mix of interventions in implementing their mandate under equal treatment legislation. This reflects a broader developmental role and includes support for good practice, research and knowledge development, communication activities and policy work.

Equality bodies identified a wide range of activities and materials developed to support good practice, particularly in making reasonable accommodation for people with disabilities in employment and in service provision. Equinet has previously reported on this work.<sup>18</sup> This body of work could serve as a resource for the European Disability Strategy in developing work in this key area.

Equality bodies have engaged in mainstreaming work with public sector bodies in policy development and programme design as part of their developmental role. In particular, one equality body pointed to the progress for people with disabilities where there is a positive duty on the public sector to have due regard to equality in carrying out their functions. This is a good foundation for effective mainstreaming of the rights and needs of people with disabilities in policy and practice within the public sector.

Disability mainstreaming still needs to be promoted and supported, preferably on the basis of such a legal positive duty but even in the absence of a legal obligation. It remains under-developed in most jurisdictions. Support and guidance should be made more widely available to ensure that policies and programmes address the particular experience and situation of people with disabilities and include them among their beneficiaries. Public officials need to have access to and to apply an expertise in disability issues in doing their jobs. This mainstreaming could contribute in implementing the Europe 2020 strategy at European and Member State levels in particular. It could be conducted alongside gender mainstreaming as part of wider non-discrimination/equality mainstreaming.

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<sup>18</sup> Equality Bodies Supporting Good Practice on Making Reasonable Accommodation for People with Disabilities in Employment and Service Provision, An Equinet Good Practice Guide, Brussels, 2013 - [http://equineteurope.org/IMG/pdf/final\\_guide.pdf](http://equineteurope.org/IMG/pdf/final_guide.pdf)

Communication work emerged as an imperative for equality bodies. Nine equality bodies reported specific activities to challenge the stereotypes of and stigma associated with people with disability. This work has the potential to enable a cultural shift in perceptions of people with disabilities as rights holders, independent actors, and contributors to society. It included mainstream media initiatives and activities within schools. Media disinterest in the topic of disability was identified as a barrier.

Seven equality bodies reported specific actions to reach out to people with disabilities and to build their awareness of rights and their confidence in being rights holders. This included a focus on particular groups of people with disabilities including people with mental health issues, people with intellectual disabilities, people with disabilities living in poverty and people with disabilities with a migrant background.

One of these equality bodies is involved in training people with disabilities as activists for rights. One such initiative was specifically targeted at people with intellectual disabilities. Another of these equality bodies provided modules in schools for people with disabilities. Another of these equality bodies provided training for advocacy organisations working with people with mental health issues on equal treatment legislation and published a review of case law involving people with mental health issues. The same equality body worked with a non-governmental organisation to produce a video to inform people with intellectual disabilities and their families of their rights under equal treatment law. There is a challenge to engage more equality bodies in this, more targeted, communication work.

In all these areas of work, equality bodies reported an engagement in dialogue with NGOs representing people with disabilities. This dialogue can often be formalised in a committee structure. It gives access to specialised expertise and information on disability issues and enables more effective channels of communication for equality bodies with people with disabilities. It holds potential for both sides.

However, equality bodies report that this dialogue is hampered where these organisations are fragmented, competing with each other, isolated, under-resourced, inadequately representative or lacking a non-discrimination perspective. Further investment is required in many Member States to support the emergence and development of organisations of people with disabilities that have necessary capacity and exercise an accountability to people with disabilities.

Equality bodies report different levels of engagement in their work from different groups of people with disabilities. There is a concern expressed by thirteen equality bodies at a lack of engagement with the equal treatment legislation by people with intellectual disabilities and people with mental health issues. This is also evident in some jurisdictions by people with disabilities with sensory impairments.

Seven equality bodies identify specific activities to engage people with intellectual disabilities and people with mental health issues in their work. Two equality bodies communicated an imperative not to make distinctions. This might be important in terms of not discriminating between different



impairments or disabilities, but there are different needs evident between these different groups that require specific accommodation and action.

## Chapter 5: Issues Addressed in the Work of Equality Bodies

A broad range of issues for people with disabilities emerges from the work of equality bodies on the disability ground. These issues predominantly cover issues of employment (named by twenty equality bodies), service provision (named by nineteen equality bodies), accessibility of public areas and buildings (named by twelve equality bodies), and education (named by twelve equality bodies).

Central to the fields of employment, service provision and education has been the issue of reasonable accommodation and the failure by employers (named by thirteen equality bodies), service providers (named by eleven equality bodies), and educational establishments (named by six equality bodies) to make adjustments to ensure access for individual people with disabilities. Equality bodies deal with a wide range of cases on issues of reasonable accommodation in both the private and the public sector.

Access to employment is the employment issue most frequently raised in the work of equality bodies (named by twelve equality bodies). Equality bodies highlighted the invisibility of people with disability in the labour market and noted particular difficulties for people with mental health issues and people with intellectual disabilities to access and retain employment. Five equality bodies highlighted issues they were dealing with in relation to acquired disability and subsequent dismissal from the workplace. Casework has underpinned a broad definition of disability in this area.

Access to leisure activities, shops, restaurants, nightclubs and places of recreation were the most frequently raised issues in relation to service provision (named by seven equality bodies). Access to health services (named by six equality bodies) is another key area, with particular issues of access to equipment required for participation by people with disabilities raised. Public services (named by six equality bodies) were another significant focus. Issues of segregation and access to social services have been a particular focus for legal action. Transport, including aviation, (named by five equality bodies), housing (named by five equality bodies), financial sector including banks and insurance companies (named by three equality bodies) and media, including TV broadcasting accessible for people with sensory disabilities (named by two equality bodies). were also identified as issues in the work of equality bodies.

The casework of equality bodies extends into the provision of goods and services. Many Member States already have legislation in this field on the ground of disability even in the absence of the proposed Directive on discrimination beyond the labour market being adopted and implemented. Two equality bodies identified particular barriers to their work where such legislation was not in place. Access to justice, preventing discrimination and supporting good practice is evidently important in the field of goods and services, in both the public and the private sectors. This once again raises the issue of the need to enact the proposed Equal Treatment Directive on the grounds of disability, religion, sexual orientation and age in relation to goods and services.

Education at all levels was a focus for the work of equality bodies on the disability ground. Equality bodies made specific mention of the need for greater movement towards inclusive education and reasonable accommodation of students within the education system. Alongside casework, research conducted by equality bodies has included a focus on people with disabilities in education. This work suggests the need to mainstream a focus on disability issues in the structures created at European level in relation to education and training.

Issues for people with disabilities within institutions can be difficult for equality bodies to address under equal treatment legislation given the requirement for a comparator in the definition of discrimination. Institutions caring for people with disabilities and the challenge of de-institutionalisation were, however, named as issues in the work of seven equality bodies. Four of these equality bodies are independent mechanisms under the UNCRPD and two combine their mandate with a human rights mandate. One equality body was neither but still managed to take up this key issue through research and policy work.

These equality bodies were engaged in setting standards for such caring institutions, assessing the living conditions within these institutions, and studying the challenge and implementation of de-institutionalisation. Two of these equality bodies communicated a concern for people with disabilities in residential centres for refugees and one of these equality bodies was working on issues for people with disabilities in prison.

There is a strong parallel between the issues in the work of equality bodies and the issues identified in the European Disability Strategy. The Strategy gives priority to action on accessibility (including built environment and transport), employment, education and training, and health. Under the priority for participation, there is also a focus on the transition from institutional to community based care and on accessibility to sports, leisure, cultural and recreational organisations, activities and events. The experience of equality bodies would suggest the need to include a deeper focus on public sector service provision, issues in relation to institutional care, and financial services.

There is a particular focus on reasonable accommodation in the action plan for the Commission in implementing the Strategy. This is confined to employment. The experience of equality bodies suggests that this focus needs to be deepened and to be expanded to include service provision and education.

There is a particular challenge to develop a culture and practice that is free from stereotypes and stigma and to pursue initiatives that expose and combat stereotypes and stigma. Stereotypes and stigma are at the root of much of the discrimination experienced by people with disabilities.

Multiple discrimination experienced by people with disabilities is relevant in the work of equality bodies. This is predictably relevant where the grounds of age and disability intersect (named by eleven equality bodies). It is visible in the intersection between grounds of gender and disability (named by eight equality bodies) and racial or ethnic origin (named by seven equality bodies). Three equality bodies also identified the importance of a focus on the intersection between the grounds of disability and sexual orientation in their work.

Two equality bodies mentioned the intersection of socio-economic status and disability as emerging within their work. It is likely, given the costs of disability and given the context of austerity outlined above, that this intersection is actually more extensive and more relevant and needs to be given greater attention.

Equality bodies acknowledged the importance of European funding, in particular PROGRESS and the European Social Fund, in enabling their developmental work on the disability ground. It would be important that this support continue in the new funding context.

## Chapter 6: Challenges for the Work of Equality Bodies

Under-reporting of incidents of discrimination experienced by people with disabilities was identified as a significant challenge for equality bodies in implementing the equal treatment legislation. It is a concern across the Member States (named by fourteen equality bodies as a barrier). It is raised as a particular issue for people with mental health issues, people with intellectual disabilities, and in some instances, people with sensory disabilities. The equality bodies identified a range of communication activities in relation to equal treatment legislation. Eleven equality bodies reported specific initiatives to address high levels of under-reporting. However, it poses a challenge to all stakeholders at Member State level.

The Disability Strategy usefully identifies concerns in relation to access to rights for people with disabilities. Under the action area on participation, there is a focus on exercising rights as individuals, consumers, students, and economic and political actors. Under the action area on equality, there is a focus on using EU legislation to provide protection from discrimination and to promote equal opportunities in EU policies, as well as on implementing the European Union Framework Employment Directive.

However, the scale of under-reporting suggests the need for a specific and more in-depth focus on this issue. The effective implementation of equal treatment legislation needs greater attention. Action at European level on this issue would be important in securing an effective institutional infrastructure for equality for people with disabilities at Member State level.

Employer attitudes, understanding and lack of commitment emerged as another significant barrier to the work and impact of equality bodies on the disability ground. This appears to be the case particularly in the private sector, but the public sector is also highlighted in this regard.

Nine equality bodies reported reluctance from employers to engage with disability issues and to employ people with disabilities. There is an even greater concern in this regard in relation to people with mental health issues and people with intellectual disabilities. Two of these equality bodies reported that employers were willing to pay fines rather than employ people with disabilities. Five equality bodies reported a lack of knowledge about good practice and understanding among employers. Three equality bodies reported that employers were concerned at the costs required for reasonable accommodation of employees with disabilities.

The Disability Strategy has a valuable focus on employment with a particular emphasis on the potential of the Europe 2020 strategy. Greater attention needs to be given to people with disabilities in the labour market focus within the Europe 2020 strategy. Diversity management is noted as a focus for attention in the strategy. Particular progress has been made in this area through the Diversity Charters initiatives in the Member States that is supported by the European Commission. However, the inclusion of people with disabilities within

this diversity agenda could usefully be further developed. This could be more linked to the initiatives being developed in this area by equality bodies.

Equality bodies report a concern about requesting, handling and using sensitive data that renders casework particularly demanding and complex on this ground and it remains a challenge to be explained to employers and service providers.

Three equality bodies raised concerns about the accessibility of their premises and one equality body raised concerns about the accessibility of their procedures.

## Chapter 7: Developing the European Disability Strategy

**The renewed European Disability Strategy should be values led.** The values set out in the Treaties could explicitly inform the objectives, actions, and evaluation of the strategy. Particular attention needs to be given to making the values of non-discrimination, equality and participation central to the renewed strategy. These values need to be made explicit in all sections of the Strategy. Action needs to be taken to ensure these values are shared across the Member States and to develop agreed understandings of these values and their implications for the implementation of the Strategy.

**Equality should be more than a specific area of action in the Strategy.** An overarching goal of achieving full equality in practice for people with disabilities is needed in all areas. Full equality in practice should encompass access to resources, access to influence and decision-making, access to recognition for diversity, and access to respect. The focus on equality could usefully address the establishment and operation of an effective infrastructure for equality for people with disabilities at Member State level and within private and public sector institutions.

**The Charter of Fundamental Rights should be given a central role in the design and implementation of the renewed strategy.** The standards set in all six fields of the Charter need to guide action taken to implement the Strategy. The Strategy should be concerned not only with protecting these rights but also in securing fulfilment of these rights. Initiatives should be taken to clarify the demands of the Charter on Member States and to ensure compliance with the Charter in the implementation of European law by Member States in relation to people with disabilities. Links could be made with equality bodies in developing this work.

**The United Nations Convention on the Rights of Persons with Disabilities should inevitably be a more central concern in the renewed strategy** given EU ratification of the Convention since the Strategy was first drafted. The renewed Strategy needs to encompass all areas covered by the Convention and to aim for the standards set by the Convention. It should be concerned with the effective implementation of the Convention at European and Member State level and include adequate monitoring and support activities to this end. It should ensure that UNCRPD jurisprudence and Concluding Observations serve as a resource for all stakeholders in promoting the equality of people with disabilities. Equality bodies could be a valuable support in this regard given the links already made by equality bodies with the Convention at Member State level.

Equality bodies emphasised **the need for the renewed European Disability Strategy to be underpinned by the enactment and effective implementation of the proposed Directive to address discrimination beyond the labour market on the ground of disability among others.** In anticipation of this, legislation guidance and support for service providers could be put in place at a European level and implemented at Member State level to develop effective

systems and practices for making reasonable accommodation for people with disabilities within public sector and private sector service provision.

Equality bodies pointed to the importance of **enacting the proposed Accessibility Act as part of the Strategy**. The potential for enabling progress on equality, including on the disability ground, through procurement was raised on foot of the provisions of the new European Directive on public procurement.<sup>19</sup> Action is needed to identify the possibilities now available on foot of the Directive and to promote implementation of these at European and Member State levels.

**The need to further develop, support and ensure a practice and a culture of disability mainstreaming at Member State and European levels was recommended.** This could be as part of a wider non-discrimination/equality mainstreaming practice. It could be underpinned by legislation in the promised Directive on discrimination beyond the labour market in a manner that matches requirements on gender mainstreaming in Article 29 of the Gender Recast Directive 2006/54/EC.

**Further support on disability mainstreaming could be developed and disseminated as part of the renewed Strategy.** This support could be concerned with the technique of disability mainstreaming, the institutional support needed for effective disability mainstreaming, and the development of a culture of disability mainstreaming. This culture of disability mainstreaming is concerned with building a shared understanding of the purpose, principles and expected impact of disability mainstreaming.

Equinet has previously published work on equality bodies and the Europe 2020 strategy.<sup>20</sup> This emphasised the importance of implementing a **more effective non-discrimination/equality mainstreaming practice at European and Member State level as part of the next phase of the Europe 2020 strategy**. This could be a key development to be pursued and supported as part of the renewed European Disability Strategy and could serve as a platform from which to expand this disability mainstreaming practice into all policy areas.

**The renewed European Disability Strategy should sustain and deepen a focus on making rights real for people with disabilities.** This should include specific actions in relation to people with intellectual disabilities, people with mental health issues, and people with sensory disabilities. Reducing levels of under-reporting of discrimination by these groups should be a specific focus in the renewed strategy. Activities need to go beyond general awareness raising to include activities that stimulate a culture of rights among all groups of people with disabilities, that empower people with disabilities to be rights activists, and that develop effective advocacy services for people with disabilities. This culture of rights work could start from an early age and should be supported in schools.

**Combating stereotyping and stigma should be a priority focus within the renewed Strategy, with particular attention to stereotyping and**

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<sup>19</sup> Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC - <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014L0024&from=EN>

<sup>20</sup> Crowley N., Equality Bodies and the Europe 2020 Strategy – A Discussion Paper, Equinet, Brussels, 2014 [http://www.equineteurope.org/IMG/pdf/eu2020\\_strategy.pdf](http://www.equineteurope.org/IMG/pdf/eu2020_strategy.pdf)



**stigmatisation of people with intellectual disabilities and people with mental health issues.** This needs to be a focus for awareness raising work across the European Union and activities in this regard could be developed as part of the renewed strategy. These activities could include, in particular, devising and supporting public education initiatives, activities within educational establishments, and initiatives among public sector officials.

In a number of jurisdictions the experience of people within institutions and lack of progress with **deinstitutionalisation** remain a significant concern. This is already a focus for the European Disability Strategy and in the use of European Structural and Investment Funds. Human rights standards need to be more effectively monitored in these institutions and investment in deinstitutionalisation needs to be increased.

The current themes of the European Disability Strategy continue to have relevance in the experience of equality bodies, and need to be maintained.

The impact of the economic crisis on people with disabilities and the possibilities arising from a slow emergence from the economic crisis should **bring social protection and poverty issues more to the forefront in the renewed Strategy.** New public resources coming available should be used to reverse the impact of the crisis on people with disabilities, especially where this can be seen to be disproportionate. Initiatives could be taken to review the adequacy of social protection systems for people with disabilities. Guidance and support could be developed and put in place for the development of eligibility criteria and appropriate and effective systems of assessment for people with disabilities in the field of social protection.

The **focus on employment of people with disabilities** should also be to the fore in the implementation of the renewed Strategy. This is vital if the employment targets of Europe 2020 are to be met. The inclusion of a focus on the employment of people with disabilities in National Reform Programmes could be given some priority and the importance of this could be reflected in Country Specific Recommendations to the Member States.

Guidance and support for employers could be put in place at a European level and implemented at Member State level to **develop effective systems and practices for making reasonable accommodation for the employment of people with disabilities within public sector organisations and private sector companies.** Links could be established with the Diversity Charters supported by the European Commission in the Member States to promote and implement this guidance within companies. Similar guidance and support could also be developed for educational establishments in relation to students with disabilities seeking access to and participating in education and training.

The renewed **European Disability Strategy should identify the importance of the work of equality bodies to the effective implementation of the Strategy.** It could commit to continuing to ensure access to resources for the work of equality bodies on the ground of disability from European funding sources.

## Chapter 8: Implementing the European Disability Strategy

Equality bodies have a contribution to make to the further development and implementation of the European Disability Strategy. Equality bodies have already made a contribution in the first five years of the Strategy although this has rarely been explicit. This contribution should be explicitly identified in the renewed strategy and equality bodies should be named as stakeholders to be involved in its implementation at European and Member State levels.

Links should be made at a European level between the structures responsible for the renewed strategy, in particular the High-Level Disability Group, and equality bodies. Equality bodies could be engaged as resources in good practice exchanges convened by the High-Level Disability Group. Equinet could bring forward the perspective of equality bodies to meetings of the group when it is discussing or evaluating its work programme. These links would reflect and secure the contribution to be made by equality bodies to the effective implementation of the renewed Strategy.

Links should be made between Equinet, equality bodies, and the European level governance and monitoring structures established for the implementation of the United Nations Convention on the Rights of Persons with Disabilities at this level. Particular steps could be taken to identifying appropriate mechanisms to draw in the learning, experience and expertise of equality bodies that are acting as monitoring mechanisms under the UNCRPD at Member State level.

Links have already been established between Equinet and the Disability Unit, formerly in DG Justice and now in DG Employment, Social Affairs and Inclusion. These links have involved a fruitful exchange of priorities on an annual basis.

These links should be further developed as the Disability Unit re-establishes itself in DG Employment, Social Affairs and Inclusion. They could be focused on the implementation of the European Disability Strategy.

Officials in the Unit linked to particular Member States could be supported and encouraged to make links with the relevant equality bodies. This linkage could support implementation of the renewed Strategy. They could also be focused on the development of Country Specific Recommendations to be proposed to the Member States under the Europe 2020 strategy.

## Conclusions

In summary:

The renewed European Disability Strategy should be values led, equality focused, and rights based:

- The values set out in the Treaties, in particular those of non-discrimination, equality and participation, could explicitly inform the objectives, actions, and evaluation of the Strategy.
- The standards set in all six fields of the Charter of Fundamental Rights need to guide action taken under the Strategy with a focus on both protecting and fulfilling these rights.
- The Strategy should encompass all areas covered by the United Nations Convention on the Rights of Persons with Disabilities, advance the effective implementation of the UNCRPD at European and Member State levels, and ensure that UNCRPD jurisprudence and Concluding Observations serve as a resource for all stakeholders.

The renewed European Disability Strategy needs to advance the wider infrastructure for equality for people with disabilities:

- The Directive to address discrimination beyond the labour market on the ground of disability among others should be enacted and implemented.
- Guidance and support for service providers to implement systems and practices for making reasonable accommodation for people with disabilities within the public and private sectors should be developed.
- The Accessibility Act should be enacted as part of the Strategy.
- The provisions of the recent European Directive on public procurement should be used to stimulate and support new initiatives in procurement policies and practices to advance equality for people with disabilities.
- Disability mainstreaming at Member State and European levels should be further developed and supported as part of a wider non-discrimination/equality mainstreaming practice with particular attention given to disability mainstreaming in the European Semester for the Europe 2020 strategy.

The current themes of the European Disability Strategy continue to have relevance and need to be maintained. However, the renewed European Disability Strategy should add to and deepen these themes:

- Reducing levels of under-reporting of discrimination by people with disabilities, in particular people with intellectual disabilities, people with mental health issues, and people with sensory disabilities should be a focus in the Strategy with a view to making rights real.
- Combating stereotyping and stigma should be a focus within the strategy, with particular attention to stereotyping and stigmatisation of people with intellectual disabilities and people with mental health issues.
- Enhancing the experience of people currently within institutions and making progress on deinstitutionalisation should remain a significant focus for the strategy.

- Social protection and poverty issues should be brought more to the forefront through actions that ensure that new public resources coming available are used to reverse the impact of the economic crisis on people with disabilities.
- The focus on employment of people with disabilities should involve ensuring that employment of people with disabilities is advanced in National Reform Programmes and through Country Specific Recommendations.
- The focus on equality could usefully address the establishment and operation of an effective infrastructure for equality for people with disabilities within private and public sector institutions.
- Guidance and support for employers and educational and training establishments that enable systems and practices for making reasonable accommodation for people with disabilities. should be developed and implemented as part of the Strategy.

The renewed European Disability Strategy should identify the importance of the work of equality bodies to the effective implementation of the Strategy. It should be concerned to ensure the full involvement of equality bodies in the various European and Member State structures with responsibilities for the Strategy. It should enable continued access to resources for the work of equality bodies on the ground of disability from European funding sources.

## Appendix – Survey Questionnaire

### *1. Vision, Objectives and Achievements*

- a) What are the principal issues of inequality and discrimination facing people with disabilities in the experience of your equality body? How would you define equality for people with disabilities in your work?
- b) What specific objectives have you set for your work on inequality for, and discrimination against, people with disabilities? Do these objectives make explicit reference to particular groups of people with disabilities e.g. people with physical disabilities, people with sensory disabilities, people with intellectual disabilities, or people with mental health issues (please specify)?
- c) Could you identify the key achievements in your work with people with disabilities or on disability issues? Do any of these achievements relate to particular groups of people with disabilities e.g. people with physical disabilities, people with sensory disabilities, people with intellectual disabilities, or people with mental health issues (please specify)?
- d) Do you face particular barriers in your work with people with disabilities (please specify)? Does your equality body have a mandate or a role in relation to the UN Convention on the Rights of Persons with Disabilities? Are there any issues for your body in implementing this mandate or role (please specify)?

### *2. Legal Work – Dealing with Inquiries and Providing Legal Support or Deciding Cases*

- a) What are the main employment issues in the inquiries and complaints made by people with disabilities? Please distinguish, if you can, issues raised by particular groups of people with disabilities e.g. people with physical disabilities, people with sensory disabilities, people with intellectual disabilities, or people with mental health issues (please specify)?
- b) What are the main issues in the provision of goods and services or outside the labour market in inquiries and complaints made by people with disabilities? Please distinguish, if you can, issues raised by particular groups of people with disabilities e.g. people with physical disabilities, people with sensory disabilities, people with intellectual disabilities, or people with mental health issues (please specify)?
- c) What are the most common other discrimination grounds that intersect with discrimination experienced by people with disabilities? In what fields of discrimination do these intersecting grounds present?
- d) Is under-reporting an issue for people with disabilities? Is this particularly prevalent for specific groups of people with disabilities e.g. people with physical disabilities, people with sensory disabilities, people with intellectual disabilities, or people with mental health issues (please specify)?
- e) Have you taken any action to specifically address under-reporting by people with disabilities (please specify)?

### ***3. Promotion Work – Guidance and Support to Employers and Service Providers***

- a) What issues do you seek to address in supporting good practice by employers? Do any of these issues relate specifically to particular groups of people with disabilities e.g. people with physical disabilities, people with sensory disabilities, people with intellectual disabilities, or people with mental health issues (please specify)?
- b) What issues do you seek to address in supporting good practice by service providers? Do any of these issues relate specifically to particular groups of people with disabilities e.g. people with physical disabilities, people with sensory disabilities, people with intellectual disabilities, or people with mental health issues (please specify)?
- c) What barriers do you face in developing initiatives to support good practice by employers and service providers in relation to people with disabilities?

### ***4. Research Work – Conducting or Commissioning Surveys or Research Projects***

- a) What issues were explored in the surveys or research projects you implemented? Do any of these issues relate specifically to particular groups of people with disabilities e.g. people with physical disabilities, people with sensory disabilities, people with intellectual disabilities, or people with mental health issues (please specify)?

### ***5. Communication Work – Informing People who Experience Discrimination and Building a Culture of Rights***

- a) What objectives have you defined for your communication work in relation to people with disabilities? Do any of these relate specifically to particular groups of people with disabilities e.g. people with physical disabilities, people with sensory disabilities, people with intellectual disabilities, or people with mental health issues (please specify)?
- b) Could you briefly describe a significant initiative you have taken to raise awareness of the wider society about discrimination against people with disabilities?
- c) Could you briefly describe a significant initiative you have taken to raise awareness of people with disabilities of their rights?
- d) Could you briefly describe a significant initiative you have taken to challenge stereotypes of people with disabilities?
- e) What barriers do you face in communication work in relation to people with disabilities?

### ***6. Policy Work – Influencing or Engaging with Policy Development***

- a) Could you briefly describe any significant policy intervention you made in relation to disability issues? Did this policy intervention make an impact (please specify)?
- b) Could you briefly describe the impact of austerity policies on people with disabilities and on your work for equality for people with disabilities?
- c) Is there a national strategy in relation to people with disabilities in your country? If so, did your equality body play any role in preparing,

implementing or monitoring it? Does this strategy influence your approach to work on disability issues?

***7. Final Comment***

- a) Is there any particular issue that you would like the European Commission to address in its review of the ten year disability strategy and its preparation of a new 'list of actions'?

# EQUINET MEMBER EQUALITY BODIES

## ALBANIA

Commissioner for the Protection from Discrimination  
[www.kmd.al](http://www.kmd.al)

## AUSTRIA

Ombud for Equal Treatment  
[www.gleichbehandlungsanwaltschaft.at](http://www.gleichbehandlungsanwaltschaft.at)

## BELGIUM

Interfederal Centre for Equal Opportunities  
[www.diversite.be](http://www.diversite.be) and [www.diversiteit.be](http://www.diversiteit.be)

## BELGIUM

Institute for the Equality of Women and Men  
<http://igvm-iefh.belgium.be>

## BULGARIA

Commission for Protection against Discrimination  
[www.kzd-nondiscrimination.com](http://www.kzd-nondiscrimination.com)

## CROATIA

Office of the Ombudsman  
[www.ombudsman.hr](http://www.ombudsman.hr)

## CROATIA

Ombudsperson for Gender Equality  
[www.prs.hr](http://www.prs.hr)

## CYPRUS

Office of the Commissioner for Administration (Ombudsman)  
[www.ombudsman.gov.cy](http://www.ombudsman.gov.cy)

## CZECH REPUBLIC

Public Defender of Rights  
[www.ochrance.cz](http://www.ochrance.cz)

## DENMARK

Board of Equal Treatment  
[www.ast.dk](http://www.ast.dk)

## DENMARK

Danish Institute for Human Rights  
[www.humanrights.dk](http://www.humanrights.dk)

## ESTONIA

Gender Equality and Equal Treatment Commissioner  
[www.svv.ee](http://www.svv.ee)

## FINLAND

Ombudsman for Equality  
[www.tasa-arvo.fi](http://www.tasa-arvo.fi)

## FINLAND

Non-Discrimination Ombudsman  
[www.ofm.fi](http://www.ofm.fi)

## FRANCE

Defender of Rights  
[www.defenseurdesdroits.fr](http://www.defenseurdesdroits.fr)

## GERMANY

Federal Anti-Discrimination Agency  
[www.antidiskriminierungsstelle.de](http://www.antidiskriminierungsstelle.de)

## GREECE

Greek Ombudsman  
[www.synigoros.gr](http://www.synigoros.gr)

## HUNGARY

Equal Treatment Authority  
[www.egyenlobanasmod.hu](http://www.egyenlobanasmod.hu)

## HUNGARY

Office of the Commissioner for Fundamental Rights  
[www.ajbh.hu](http://www.ajbh.hu)

## IRELAND

Irish Human Rights and Equality Commission  
[www.equality.ie](http://www.equality.ie)

## ITALY

National Office against Racial Discrimination – UNAR  
[www.unar.it](http://www.unar.it)

## ITALY

National Equality Council  
[www.lavoro.gov.it/ConsiglieraNazionale/](http://www.lavoro.gov.it/ConsiglieraNazionale/)

## LATVIA

Office of the Ombudsman  
[www.tiesibsargs.lv](http://www.tiesibsargs.lv)

## LITHUANIA

Office of the Equal Opportunities Ombudsperson  
[www.lygybe.lt](http://www.lygybe.lt)

## LUXEMBURG

Centre for Equal Treatment  
[www.cet.lu](http://www.cet.lu)

## (FYRO) MACEDONIA

Commission for the Protection against Discrimination  
[www.kzd.mk/mk/](http://www.kzd.mk/mk/)

## MALTA

National Commission for the Promotion of Equality  
[www.equality.gov.mt](http://www.equality.gov.mt)

## MALTA

National Commission for Persons with Disability  
[www.knpd.org](http://www.knpd.org)

## NETHERLANDS

Netherlands Institute for Human Rights  
[www.mensenrechten.nl](http://www.mensenrechten.nl)

## NORWAY

Equality and Anti-Discrimination Ombud  
[www.ldo.no](http://www.ldo.no)

## POLAND

Human Rights Defender  
[www.rpo.gov.pl](http://www.rpo.gov.pl)

## PORTUGAL

Commission for Citizenship and Gender Equality  
[www.cig.gov.pt](http://www.cig.gov.pt)

## PORTUGAL

Commission for Equality in Labour and Employment  
[www.cite.gov.pt](http://www.cite.gov.pt)

## PORTUGAL

High Commission for Migration  
[www.acidi.gov.pt](http://www.acidi.gov.pt)

## ROMANIA

National Council for Combating Discrimination  
[www.cncd.org.ro](http://www.cncd.org.ro)

## SERBIA

Commissioner for Protection of Equality  
[www.ravnopravnost.gov.rs](http://www.ravnopravnost.gov.rs)

## SLOVAKIA

National Centre for Human Rights  
[www.snsnp.sk](http://www.snsnp.sk)

## SLOVENIA

Advocate of the Principle of Equality  
[www.zagovornik.net](http://www.zagovornik.net)

## SPAIN

Council for the Elimination of Ethnic or Racial Discrimination  
[www.igualdadynodiscriminacion.msssi.es/](http://www.igualdadynodiscriminacion.msssi.es/)

## SWEDEN

Equality Ombudsman  
[www.do.se](http://www.do.se)

## UNITED KINGDOM - GREAT BRITAIN

Equality and Human Rights Commission  
[www.equalityhumanrights.com](http://www.equalityhumanrights.com)

## UNITED KINGDOM - NORTHERN IRELAND

Equality Commission for Northern Ireland  
[www.equalityni.org](http://www.equalityni.org)



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