

[#UnionOfEquality](#): Strategy for the Rights of Persons with Disabilities 2021-2030

A view from Equality Bodies

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On #WorldHearingDay, 3 March 2021, the European Commission published the [EU Strategy for the Rights of Persons with Disabilities 2021-2030](#). This is the second strategy of this kind and builds upon the work done on the basis of [the Disability Strategy 2010-2020](#). It is also the latest equality-related strategy of the handful that have been published in 2020.

The Strategy 2021-2030 aims at establishing the objectives of the EU as regards their commitment to improving the lives of persons with disabilities who constitute 25% of the total European population what translates, in numbers to, 87 million Europeans. [According to data shared by Commissioner Dalli](#), 17.9 % of people between 16-65 (years old) have a disability, while 48.5 % of people older than 65 do.

The process to draft such a strategy was the most inclusive yet, gathering several European level and national level stakeholders in a series of meetings starting in July and finishing in November that included DPOs and well as other stakeholders including Equinet, as well as a handful of Equality Bodies, to attend and contribute, from our perspective to the drafting process of the Strategy.

The Commission took note of the discussions that took place, whose results were presented to Commissioner Dalli herself by the DPOs. Likewise, it comes after two relevant reports regarding the disability-related equality legal framework, namely the [Report on the implementation of Council Directive 2000/78/EC occupation in light of the UNCRPD \(United Nations Convention for the Rights of persons with disabilities\)](#) presented by MEP Katrin Langensiepen and the [EP research services Implementation of the Employment Equality Directive in light of the UN CRPD](#) whose main learnings were somewhat reflected in this new proposal.

This summary aims at giving a snapshot of the main initiatives and underlines the most relevant initiatives related to Equality Bodies.

Equality Bodies and the Disability strategy

The Strategy points out the lack of protection for persons with disabilities from discrimination in all areas of life and the lack of an obligation for Member States to designate an Equality Body on the ground of disability. The Commission calls on Member States to adopt the pending Horizontal Directive (which would as regards the ground of disability extend the protection from discrimination to all fields of life, establish the denial of reasonable accommodation as a form of discrimination and incorporate intersectional and multiple discrimination into the existing legal framework) and asks for their **support to cooperation between the EU and the national UNCRPD frameworks and members of European networks of rights defenders**, which includes Equinet. This is highly relevant as many equality bodies in our network have been named UNCRPD national monitoring mechanisms according to article 32.3 of the Convention.

Likewise, the Strategy announces the **upcoming report on the implementation of the Employment Equality Directive**, adding that if appropriate, the Commission will follow up with a legal proposal in particular to strengthen the role of equality bodies (reiterating other equality related strategies published in 2020). The Strategy adds that **“the report will also examine whether Member States have followed the [Commission’s recommendation](#) (on Standards for Equality Bodies) to consider designating an equality body to address discrimination on the grounds of religion or belief, disability, age and sexual orientation within the scope of application of the Directive”**. Equinet has extensively worked on establishing indicators to measure compliance with the recommendation ([mandate](#) and [independence](#)).

Another new initiative in which Equality Bodies should be included in the new **Disability Platform**. It will replace the existing High-Level Group on Disability and support the implementation of the Strategy as well as national disability strategies. It will bring together national UNCRPD focal points, organisations of persons with disabilities and the Commission. The Platform could be used as a forum to exchange on the UN’s assessments of Member States’ implementation of the UNCRPD. The online presence of the Disability Platform will contain information on its meetings, activities, analysis, and country information, including promotion of accessible and inclusive good practices.

The Strategy

As a result of these consultations the European Commission has presented a very ambitious strategy that focuses on 3 main themes:

- 1- EU rights
- 2- Independent living and autonomy
- 3- Non-discrimination and equal opportunities

EU rights

Moving and residing freely: The **EU disability Card** initiative aims at facilitating mutual recognition of disability status. It was [piloted in 8 Member States](#) and will be implemented by the end of 2023 at the EU level and across all Member States to ensure that persons with disabilities have a real right to freedom of movement as others.

Fostering participation in the democratic process: 60.000 people with disabilities are excluded from voting due to their disabilities. Persons with disabilities may face difficulties mainly because of restrictions on their legal capacity or lack of accessibility. The Commission will work closely with Member States to ensure wide participation in the upcoming elections. [Equinet presented an amicus curiae intervention](#) before the ECtHR regarding this very same topic, the accessibility of voting stations, in summer 2020.

The Commission also announced several other initiatives in this regard, including work with Member States in the European Cooperation Network on Elections to support full electoral participation and accessibility of the European elections (both as a voter and as a candidate) or supporting the implementation of e-voting.



National rules deprive **800 000 EU citizens with disabilities** of the right to participate in European Parliament elections justifying on the basis of their disabilities or mental health issues

Independent living and autonomy



More than 1 million children and adults with disabilities aged less than 65 and **more than 2 million** aged 65 and over live in institutions



50.8% of persons with disabilities are in employment compared to **75%** without disabilities



37.6% of persons with disabilities are inactive compared to **17.6%** of persons without disabilities



28.4% of persons with disabilities are at risk of poverty and social exclusion compared to **18.4%** of persons without disabilities

Independent living and community-based services and inclusion in the community: To facilitate Member States to move towards those targets, the Commission will develop, by 2023, **guidance to Member States** to enable persons with disabilities to live in accessible, supported housing in the community, or to continue living at home (including personal assistance schemes), as well as other initiatives including a **framework for Social Services of Excellence for persons with disabilities**. Further, the Commission calls on Member States to implement **good practices of deinstitutionalisation** in the area of mental health and promote and secure financing for **accessible and disability-inclusive social housing**, including for older persons with disabilities, and address challenges of homeless persons with disabilities.

Employment: The Commission asks Member States to set targets for the participation of adults with disabilities in **learning** to increase their participation and ensure that **national skills strategies** cover the specific needs of persons with disabilities to help achieve the target in the Skills Agenda and the action plan implementing the Pillar of Social Rights. Member States also should adopt targeted measures and flexible training formats to ensure **inclusive and accessible VET programmes** (vocational education and training) including for persons with disabilities; and support the cooperation between relevant stakeholders of the social economy, including identifying digital skills needs and applying assistive technology for better employability.

Fostering access to quality and sustainable jobs: Recognising the potential shortcomings of the current EU legislation the Commission announces the upcoming implementation report on the **EU Employment Equality Directive**, which, if appropriate, will be followed up with a legal proposal to strengthen the role of equality bodies. It likewise points out the lack of developments regarding the adoption of the [Horizontal Directive](#).

In 2021 the Commission will present an **Action Plan on Social Economy**; and in 2022, a **package to improve labour market outcomes of persons with disabilities** to support Member States in the implementation of the relevant Employment Guidelines through the European Semester.

The Commission calls on Member States to:

- establish, by 2024, targets for increasing the employment rate of persons with disabilities and reducing employment rate gaps between persons with and without disabilities to help achieve the 2030 headline employment target proposed in the Action Plan to implement the European Pillar of Social Rights for endorsement by the European Council;
- strengthen the capacities of employment services for persons with disabilities and enhance work with social partners and organisations of persons with disabilities to that end; and facilitate self-employment and entrepreneurship through providing support on legal and business matters, including by using the EU funds.

Consolidating social protection systems: In 2022, The Commission will launch a **study on social protection and services for persons with disabilities** to examine good practices on disability

benefits, old-age income, health insurance, cash and non-cash benefits as well as on extra-costs due to disability. Likewise, it will provide guidance to support Member States in further **reforms of social protection** focusing on persons with disabilities and disability assessment frameworks. Additionally, the Commission requests Member States to define measures to further **tackle gaps in social protection for persons with disabilities** to reduce inequalities, including compensating extra costs related to disability and eligibility for disability benefits.

Non-discrimination and equal opportunities

The strategy aims to protect persons with disabilities from any form of discrimination and violence. It aims to ensure equal opportunities in and access to justice, education, culture, sport and tourism. Equal access must also be guaranteed to all health services and employment.



52% of persons with disabilities feel discriminated against



4 times more persons with disabilities report unmet healthcare needs than those without disabilities



20.3% young people with disabilities leave school early compared to **9.8%** of those without disabilities



Only **29.4%** of persons with disabilities attain a tertiary degree compared to **43.8%** of those without disabilities

Improving access to justice, legal protection, freedom and security:

The Commission will:

- work with Member States to implement the 2000 Hague Convention on the international protection of vulnerable adults in line with the UNCRPD;
- launch a study on procedural safeguards for vulnerable adults in criminal proceedings, and assess the need for legislative proposals strengthening the support and protection of vulnerable adults who fall victims of crime, in line with the EU Victims' Rights Strategy (2020-2025);
- provide guidance to Member States on access to justice for persons with disabilities in the EU, building on international guidance provided by the United Nations;
- and develop measures to support Member States in boosting the participation of persons with disabilities as professionals in the justice system and collect good practices on supported decision-making.

Equal access to social protection, healthcare, education and goods and services including housing:

While pointing to the need for Member States to adopt the **proposal for the so-called [Horizontal directive](#)** dating back to 2008 on implementing the principle of equal treatment outside the field of employment including disability, it also asks them to support **cooperation between the EU and the national UNCRPD frameworks** and members of European networks of rights defenders (including Equinet).

Inclusive and accessible education:

In 2021, the Commission will

- issue a **toolkit for inclusion in early childhood education and care including a chapter** focusing on children with disabilities;
- support Member States to further develop their **teacher education systems** to address shortages of teachers in Special Needs Education and competences of all education professionals to manage diversity in the classroom and develop inclusive education;

- support increased efforts to implement the **Action Plan Educational Support and Inclusive Education** focusing on accessibility and reasonable accommodation, adaptation of their curricula to the needs of learners with disabilities and providing training courses for teachers in the area of inclusive education.

The Commission calls on Member States to support the development of **inclusive schools** and ensure that their education systems at all levels comply with the UNCRPD to advance on **supported learning in inclusive mainstream settings**, as announced in the Communication on the European Education Area; and support the implementation of Article 24 UNCRPD(Education) in the **European Schools**.

Sustainable and equal access to healthcare: Persons with disabilities report unmet needs for medical examination four times more often than persons without disabilities. Healthcare is often too expensive, too far to travel to, not accessible, or subject to long waiting lists according to EU-SILC.

The Commission will

- address issues related to health and disability through the Steering Group on Promotion and Prevention (SGPP) for the sharing of validated health-related good practices to support Member States in their health reforms;
- support stakeholders to address and alleviate the burden that the COVID-19 pandemic imposes on the mental health of European citizens;
- address specific inequalities for persons with disabilities in accessing cancer prevention, early detection and care through specific actions identified through the inequalities registry in Europe's beating cancer plan.

Likewise, the Commission calls on Member States to:

- improve access for persons with disabilities to the entire healthcare portfolio including sexual and reproductive healthcare and prevention services, including by way of Commission guidance on access to healthcare for persons with disabilities based on inclusive, accessible, person-centred healthcare, and free and informed consent;
- and to raise awareness and develop support strategies for patients with disabilities related to rare diseases and identify and examine ways of facilitating access to state-of-the-art treatment including making use of digital innovations across Member States.

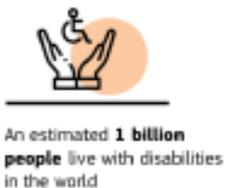
Improving access to art and culture, recreation, leisure, sport, and tourism: The Commission will strengthen the participation of persons with disabilities in all these areas by pursuing cooperation with mainstream and disability-specific sports organisations at all levels. It will promote and raise visibility of the art works by persons with disabilities and strive to make cultural heritage and all art accessible and disability-inclusive with support from EU funding such as the Creative Europe Programme. The Commission will also address disability stereotypes, in line with the Audiovisual Media Services Directive which requires that commercial communications respect human dignity and do not include any discrimination, including that based on disability. Further, it will launch a study **evaluating the implementation of Article 30** of the UNCRPD (Participation in cultural life, recreation, leisure and sport) to support Member States in policies to increase the participation of and support to persons with disabilities in sport, culture and leisure activities, among other initiatives. The Commission calls on Member States to improve accessibility and promote and encourage **arts of persons with disabilities** and raise awareness making them visible through exhibitions and performances.

Ensuring safety and protection: Moving towards common European standards in Civil Protection operations, the Commission will include awareness-raising to improve the safety of vulnerable groups. EU funding will be used to raise awareness for the needs of persons with disabilities using civil protection meetings with the Civil Protection Forum and the Union Civil Protection Knowledge Network. The Commission will continue to finance training programmes for disaster situations, including preparedness projects and exercises, taking account of the needs of persons with disabilities and strengthen dedicated monitoring in prevention actions. By 2024, the Commission will also provide guidance to Member States and practitioners, including police officers, on improving support for victims of violence with disabilities; and invite the Fundamental Rights Agency to examine the situation of persons with disabilities living in institutions concerning violence, abuse and torture. The Commission calls on Member States to implement the Common European Asylum System (CEAS) acquis considering the specific needs of vulnerable applicants for and beneficiaries of international protection, including persons with disabilities.

Other issues tackled:

Accessibility: Accessibility has a prominent role in the Strategy, as an enabler of rights, autonomy and equality. The flagship initiative announced by the Commission in this regard is that in 2022 will launch a **European resource centre AccessibleEU** to increase coherence in accessibility policies and facilitate access to relevant knowledge. This cooperation framework will bring together national authorities responsible for implementing and enforcing accessibility rules with experts and professionals from all areas of accessibility, to share good practices across sectors, to inspire policy development at the national and EU level, as well as to develop tools and standards aiming to facilitate implementation of EU law. Additionally, the Commission will also:

- provide practical guidance to Member States to support the implementation of the accessibility obligations under the **public procurement Directives**, and promote training for public procurers to buy accessible (2021);
- include accessibility and inclusiveness in the **reinforced EU digital government strategy** (2021);
- evaluate the application of the **Web Accessibility Directive** (2022);
- review the **passenger rights regulatory framework including rights for persons with disabilities and reduced mobility** in transport by air, water, bus and coach (2021);
 - launch an **Inventory of Assets on rail infrastructure** (by 2022);
 - review, the Regulation on Union Guidelines for the development of the **trans-European transport network to strengthen the provision on accessibility** (2021);
 - and revise its Urban Mobility Package to strengthen **Sustainable Mobility Planning** (2021).



Promoting the rights of persons with disabilities globally: The Commission and the High Representative for Foreign Affairs and Security Policy / Vice-President of the Commission (HRVP) will take different initiatives to promote the rights of persons with disabilities under the UNCRPD.

Efficiently delivering the strategy: The Commission calls on Member States and all EU institutions and agencies to take the needs of persons with disabilities into consideration when designing, implementing and monitoring policies, legislation and funding programmes through targeted action and mainstreaming. The Commission encourages cooperation on disability between EU institutions,

Member States, and other stakeholders, supported by the use of EU funding and the provision of training. One of the main proposals in this regard is the establishment, in 2021, of a **Disability Platform**. Likewise, the Commission asks Member States to adopt **ambitious national strategies** to foster the implementation of the UNCRPD and of this Strategy at the national, regional and local level and will allocate funds to achieve the objectives of the strategy.

Lead by example: The Commission will present a **renewed HR strategy** that will include actions to promote diversity and inclusion of persons with disabilities.

Monitoring: The Commission commits to **monitoring** the implementation of the strategy and compiling a mid-term **report** on its implementation to fine-tune if needed.

Data collection: Likewise, it announces reinforcing **data-collection** regarding the right of persons with disabilities through an intersectional prism. To that end, the Commission will develop and publish, in 2021, a **monitoring framework** for the objectives and actions of the strategy, and by 2023, **develop disability indicators** with a clear roadmap to implementation. The Commission will also develop a **strategy for data collection**, steer Member States accordingly and provide an analysis of existing data sources and indicators including administrative data.

All images credit to the European Commission (the EU Strategy for the Rights of Persons with Disabilities 2021-2030)