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COMMISSION STAFF WORKING DOCUMENT

**Progress Report on the implementation of the European Disability Strategy (2010 -
2020)**

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(2010-2020)

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1. INTRODUCTION

Fundamental rights, inclusive growth and social fairness are at the core of the European Commission's agenda. The Commission has been working to ensure that these priorities are better integrated in all policy areas. It is committed to see to it that the economic strengthening of our Union goes hand-in-hand with improving people's lives. Nobody in the European Union should be left behind. The elimination of barriers preventing people with disabilities from fully participating in society and enjoying their rights is therefore a priority for the European Commission. The European Disability Strategy 2010-2020 has been framing actions at EU level as the main instrument to support the EU's implementation of the UN Convention on the Rights of Persons with Disabilities (UNCRPD)¹.

The Strategy identifies eight main areas of action:

- Accessibility
- Participation
- Equality
- Employment
- Education and Training
- Social Protection
- Health
- External Action

The implementation of the Strategy has cemented the paradigm shift towards a human rights approach of disability policies. Actions over the past five years have made progress possible in all the eight areas; major progress was notably achieved in the area of accessibility with the adoption of the Directive on Web Accessibility and the proposal for a European Accessibility Act. The successful efforts on external action were also recognised by the UN Committee on the rights of persons with disabilities. However, the challenging economic situation has weakened the situation of people with disabilities in Member States. They remain consistently disadvantaged in terms of employment, education and social inclusion.

The objectives of the 10-year Strategy remain fully relevant and the European Commission is committed to continue its action using the competences and instruments at its disposal to raise awareness at EU-level, give financial support, collect data and statistics, monitor the situation of people with disabilities and act as the Focal Point for the UNCRPD. The Commission continues to mainstream disability in all relevant EU policy areas. The Better Regulation Guidelines² present guidance on the identification and assessment of relevant impacts of EU

¹ <http://ec.europa.eu/social/main.jsp?catId=1138&langId=en>. All EU countries have ratified the UNCRPD, except for Ireland, currently finalising its ratification process.

² The Commission presented a Better Regulation package in May 2015 setting out commitments and actions to ensure that EU decision-making is based on evidence and is open and transparent. This package included revised Commission guidelines for conducting impact assessments and ex-post evaluations. For more information see: http://ec.europa.eu/smart-regulation/guidelines/toc_guide_en.htm

policies. In this respect, tool #24 on Fundamental Rights and Human Rights and tool #25 on Employment, Working Conditions, Income Distribution and Inequality are of particular relevance in terms of addressing disability issues both in impact assessments and in evaluations.

This report is the opportunity to present the progress achieved in the first five years of the Strategy and to assess its coherent and efficient implementation. Many stakeholders have contributed to this work.

The United Nations reviewed – for the very first time - how the EU has been implementing its obligations under the UNCRPD³, and issued Concluding Observations with concrete recommendations for follow-up⁴. These contain guidance on priority issues to be addressed while also highlighting the steps already taken (see Annex 3). The European Parliament and the European Economic and Social Committee subsequently prepared their own reports on the implementation of the UNCRPD, while civil society organisations provided analysis and proposals (see Annex 4).

The Commission also launched a public consultation⁵ to collect views from a broad range of stakeholders on the current situation of persons with disabilities and the impact of the Strategy so far, gathering more than 1,500 contributions. The results of the public consultation clearly show that the situation of people with disabilities remains challenging in terms of participation in everyday activities, rights, employment, accessibility, discrimination and mobility within the EU. While most of the concrete concerns expressed by stakeholders relate to actions and/or competences of the Member States, the European Commission gleaned some invaluable input on the views of persons with disabilities (see Annex 1).

This report describes the implementation so far and lists some of the main achievements in each of the areas. It also looks at the role of the supporting instruments and at the implementation of the UNCRPD within the EU institutions. Finally, it looks ahead at how the Strategy will continue to deliver on its objectives, taking into account the UN Concluding Observations.

In addition, the report includes a comprehensive and up-to-date overview of EU legal acts with an impact on disability matters (Annex 5). This list complements the initial EU Declaration of Competences⁶.

³ Report on the implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD) by the European Union - SWD(2014) 182 final: <http://ec.europa.eu/social/main.jsp?catId=1138&langId=en>

⁴ <http://ec.europa.eu/social/BlobServlet?docId=14429&langId=en>

⁵ <http://ec.europa.eu/social/main.jsp?catId=333&langId=en&consultId=19&visib=0&furtherConsult=yes>

⁶ Annex II of the Council decision of 26 November 2009, entitled Community acts which refer to matters governed by the Convention (OJ L 23, 27.1.2010, p. 35) concerning the competence of the European Community with regard to matters governed by the United Nations Convention on the Rights of Persons with Disabilities.

2. SITUATION OF PERSONS WITH DISABILITIES

As the EU population is getting older, the number of Europeans with disabilities is rising significantly. It is expected that, by 2020, approximately 120 million Europeans will have a disability. The share of women with disabilities in the overall population is higher than the share of men (29.5% vs 24.5%)⁷.

The Commission has developed disability-related, EU-level indicators linked to the Europe 2020 targets for employment, education and poverty reduction to closely monitor the situation of people with disabilities in the Member States and at EU level⁸. The indicators show a clear gap with the rest of the population⁹.

Persons with disabilities have the right to work on an equal basis with others, and the Employment Equality Directive prohibits discrimination in employment. However, **access to the labour market** remains one of the main challenges for people with disabilities today. The economic crisis has made it difficult to improve the employment situation of persons with disabilities. At only 48.7%, the employment rate of people with disabilities remains much lower than the one of people without disabilities (72.5%)¹⁰.

Access to an inclusive, quality education remains elusive for many people with disabilities. Indeed, close to 22.5% of young people with disabilities are early leavers from education and training, compared to 11% for pupils without disabilities. Moreover, about 29.5% of persons with disabilities (age group 30-34) have completed tertiary education or equivalent, compared to 42.5% for persons without disabilities.

Finally, 30% of people with a disability are at **risk of poverty or social exclusion** in the EU, compared to 21.5% of people without disabilities. The degree of disability - severe vs moderate - does increase significantly the risk of poverty or social exclusion. However, this risk significantly decreases for people aged 65 and over in almost all EU Member States mainly due to the social protection provided by pensions after retirement.

All these elements clearly confirm the relevance of the main objectives of the European Disability Strategy 2010-2020.

⁷ EU SILC 2014.

⁸ Annual indicators are produced on the basis of the EU-SILC data by the Academic Network of European Disability experts (ANED). Employment and education indicators are based on a proxy as the official data source does not disaggregate the data by persons with disabilities.

⁹ The data on the indicators is taken from EU-SILC 2014. EU-SILC is based on own responses to questions on "activity limitation" due to health problems for at least the last 6 months, and is used as a proxy for disability. EU-SILC covers all individuals aged 16 and more and living in private households. It does not cover children or people living in residential institutions.

¹⁰ ANED estimations based on EU-SILC 2014.

3. AREAS FOR ACTION

The European Disability Strategy 2010-2020 identified a series of actions and specific objectives in its eight areas. The Commission has acted in all the areas and significant results have been achieved. Some of the concrete achievements are listed below, while the complete table on the implementation of the Strategy by actions¹¹ provides all information available on the progress so far (see Annex 2).

3.1 Accessibility

Objectives:

Accessibility is a precondition for the participation of people with disabilities in society and in the economy and is at the core of the Strategy. The aim of the Strategy is to ensure accessibility to goods and services for people with disabilities, including public services and assistive devices. This can be achieved through the prevention, identification and elimination of barriers faced by disabled persons in a number of key areas such as the built environment, transport, and information and communication.

Main progress since 2010:

- ✓ Adoption by the Commission of a proposal for a **European Accessibility Act**¹² - a business friendly Directive which harmonises accessibility requirements for a number of products and services (2015);
- ✓ Adoption of a Directive **on the accessibility of the websites and mobile applications of public sector bodies**¹³ (2016);
- ✓ Revision and adoption of legislation related to **rail**¹⁴, **maritime**¹⁵ and **road**¹⁶ **transport**, to enhance the accessibility for and assistance to persons with disabilities;
- ✓ Ongoing negotiations on a Commission proposal addressing the liability for damages concerning **mobility equipment** in air transport¹⁷;
- ✓ New obligations in the **European Public Procurement Directives**¹⁸ for public authorities to require accessibility in the technical specifications of tenders and to explicitly allow using accessibility as one of the award criteria (2016);
- ✓ Adoption of the first European **ICT accessibility standard** (2014)¹⁹;

¹¹ Please note that the European Disability Strategy 2010-2020, when adopted, was accompanied by a list of actions - SEC/2010/1324 final: <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1481885008322&uri=CELEX:52010SC1324>

¹² <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2015:0615:FIN>

¹³ http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.327.01.0001.01.ENG&toc=OJ:L:2016:327:TOC

¹⁴ http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2014.356.01.0110.01.ENG

¹⁵ <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1467884360414&uri=CELEX:32010R1177>

¹⁶ <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1467884595186&uri=CELEX:32011R0181>

¹⁷ http://www.europarl.europa.eu/registre/docs_autres_institutions/commission_europeenne/com/2013/0130/COM_COM%282013%290130_EN.pdf

¹⁸ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32014L0024>

- ✓ Ongoing work to develop a European standard on the accessibility of the built environment, a new standard on accessibility following design for all, as well as a process for the mainstreaming of accessibility in **standardisation work**;
- ✓ Publication of **Interpretative Guidelines** for a uniform application of the Regulation concerning the rights of disabled persons and **persons with reduced mobility when travelling by air**²⁰, notably concerning boarding and pre-notification (2012);
- ✓ Adoption of **Interpretative Guidelines** on Regulation on **rail passengers' rights** and obligations including provisions related to assistance to persons with disabilities²¹ (2015);
- ✓ Launch of studies on **urban transport** to improve accessibility for persons with reduced mobility²²;
- ✓ Introduction of compulsory accessibility requirements in actions financed by the **European Structural and Investment Funds Regulations (ESIF)**²³ (2013);
- ✓ Funding of **research and development in ICT** to support people with disabilities, e.g. research on web accessibility.

3.2 Participation

Objective:

The Strategy aims to achieve full participation of people with disabilities in society by enabling them to enjoy all the benefits of EU citizenship, by removing administrative and attitudinal barriers and by providing quality community-based services, including access to personal assistance. This can only be made possible if people with disabilities are able to fully exercise their fundamental rights, including the right to free movement, to choose where and how to live, and to have full access to cultural, recreational, and sports activities.

Main progress since 2010:

- ✓ Adoption of a Directive on the **right to interpretation and translation** in criminal proceedings²⁴, which foresees appropriate assistance for persons with hearing and speech impediments (2010);

¹⁹ Standard - EN 301 549 - "Accessibility requirements suitable for public procurement of ICT products and services in Europe"

²⁰ Interpretative Guidelines on Regulation (EC) N° 1107/2006 of the European Parliament and of the Council of 5 July 2006 - SWD (2012) 171:

https://ec.europa.eu/transport/sites/transport/files/themes/passengers/air/doc/prm/2012-06-11-swd-2012-171_en.pdf

²¹ Interpretative Guidelines on Regulation (EC) No 1371/2007: <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:C:2015:220:TOC>

²² <http://ec.europa.eu/transport/sites/transport/files/themes/urban/studies/doc/2012-11-fact-finding-study-passenger-rights.pdf>

²³ http://ec.europa.eu/regional_policy/en/information/legislation/regulations/

²⁴ Directive 2010/64/EU - <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:280:0001:0007:en:PDF>

- ✓ Adoption of a Recommendation on **procedural safeguards for vulnerable persons** suspected or accused in criminal proceedings²⁵ (2013);
- ✓ Adoption by the Commission of legislative proposals to **implement the Marrakesh Treaty**²⁶ in EU law^{27;28} (2016);
- ✓ Inclusion of references to accessibility of information in the Directive on Alternative Dispute Resolution and in the Regulation on Online Dispute Resolution to safeguard **consumer rights** of persons with disabilities;
- ✓ Launch of the **EU Disability Card**, a system of mutual recognition ensuring equal access to certain benefits, in eight pilot countries (2016);
- ✓ Adoption of the **European Quality Framework for Social Services** by the Social Protection Committee (SPC) to set up quality principles covering various aspects of services' provision, including regarding disability issues (2010);
- ✓ Adoption of **Common European Guidelines on the Transition from Institutional to Community-based Care** and a Toolkit on the Use of European Union Funds for this purpose (2012);
- ✓ Projects by the Fundamental Rights Agency to provide evidence-based assistance and expertise to EU institutions and Member States on "**measuring the right to independent living**"²⁹ (since 2014);
- ✓ Publication of an analysis to assess the **political participation** of persons with disabilities in the EU with the development of 28 human rights indicators, by the Academic Network of Experts on Disabilities and the Fundamental Rights Agency³⁰ (2014);
- ✓ Mainstreaming of **accessibility requirements in cultural policies**, such as Europeana.eu³¹, "European Capitals of Culture"³² and relevant policy collaboration among Member States in the field of culture;
- ✓ Introduction of an ex-ante conditionality in the **European Structural and Investment Funds** requiring that Member States have in place "measures for the shift from institutional to community based care" (2014);
- ✓ Pilot project to investigate the use of **technology with parking cards** based on the EU model to reduce fraud and improve mobility for disabled and older persons³³;

²⁵ [http://eur-lex.europa.eu/legal-content/en/ALL/;ELX_SESSIONID=ZybQJzWNghvVFQMYM2nlhxxKGxGh4bPJckQb1xnk4RDHc61gzY2t!1316736443?uri=CELEX:32013H1224\(02\)](http://eur-lex.europa.eu/legal-content/en/ALL/;ELX_SESSIONID=ZybQJzWNghvVFQMYM2nlhxxKGxGh4bPJckQb1xnk4RDHc61gzY2t!1316736443?uri=CELEX:32013H1224(02))

²⁶ 'Marrakesh Treaty to Facilitate Access to Published Works by Visually Impaired Persons and Persons with Print Disabilities'.

²⁷ A proposal for a Directive on certain permitted uses of works and other subject-matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print disabled - COM/2016/0596 final - 2016/0278 (COD):

<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52016PC0596>

²⁸ A proposal for a Regulation on the cross-border exchange between the Union and third countries of accessible format copies of certain works and other subject-matter protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print disabled - COM/2016/0595 final - 2016/0279 (COD): <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52016PC0595>

²⁹ <http://fra.europa.eu/en/project/2014/rights-persons-disabilities-right-independent-living>

³⁰ https://fra.europa.eu/sites/default/files/fra-2014-right-political-participation-persons-disabilities_en.pdf

³¹ It aims to meet the W3C Web Content Accessibility Guidelines Version 1.0.

³² https://ec.europa.eu/programmes/creative-europe/actions/capitals-culture_en

³³ SIMON project: <http://simon-project.eu/>

- ✓ Pilot project to develop technological solutions to improve independent communication and interaction between the **deaf or hard of hearing** and EU institutions³⁴ (2014-2015);
- ✓ **Sport actions** for the social inclusion of people with disabilities via the Erasmus+ programme.
- ✓

3.3 Equality

Objective:

Half of the Europeans consider that discrimination on disability is widespread in the EU³⁵. Global awareness on the issue of discrimination has also been increasing; more and more people know their rights. Fighting all forms of discrimination on the basis of disability is a cornerstone of the Strategy. EU actions contribute to protect people with disabilities from discrimination and to promote equal opportunities in EU policies.

Main progress since 2010:

Protection against discrimination on disability in the EU in the area of employment is provided through the **Employment Equality Directive**³⁶. As part of the Strategy, the Commission continued to closely monitor its implementation, in collaboration with Member States, national equality bodies and all relevant stakeholders. Among the main actions taken:

- ✓ Publication of a Staff Working Document³⁷ containing **guidance for victims of discrimination and case-law** (2014);
- ✓ Adoption of an **implementation report**, showing that the Directive has been transposed in all Member States but that implementation challenges remain (2014);
- ✓ **Clarifications by the European Court of Justice** on the interpretation of several provisions of the Directive including the alignment of the definition of disability to the UNCRPD.

Other actions also supported equality for people with disabilities:

- ✓ Launch of the **High-Level Group on Non-discrimination, Equality and Diversity** as a framework for dialogue and policy developments with the Member States at EU level (2015);
- ✓ **EU Strategy towards the Eradication of Trafficking in Human Beings** 2012–2016, specifically addressing the vulnerable situation of children with disabilities;

³⁴ <http://www.eud.eu/projects/past-projects/insign-project/>

³⁵ 2015 Eurobarometer survey:

<http://ec.europa.eu/COMMFrontOffice/publicopinion/index.cfm/ResultDoc/download/DocumentKy/68004>

³⁶ 2000/78/EC

³⁷ http://ec.europa.eu/justice/discrimination/files/swd_2014_5_en.pdf

- ✓ European Commission **Study on High Risk Groups for trafficking in human beings** focusing on groups of children who are most at risk of trafficking³⁸;
- ✓ Organisation of annual **trainings of legal and policy practitioners** on the UNCRPD, which include disability discrimination;
- ✓ **Awareness raising actions** to spread knowledge among people with disabilities, civil society and employers, including general public seminars, diversity days, journalist awards and artistic competitions.

3.4 Employment

Objective:

The employment rate of people with disabilities remains very low at 48.7%³⁹. The public consultation conducted in support of this report reveals that the lack of equal opportunities in the labour market is the most frequently mentioned problem for the respondents. The Strategy aims at enabling more people with disabilities to earn their living on the open labour market. The employment situation of women and men with disabilities needs to be improved through quality jobs in open, inclusive and accessible work environments.

Main progress since 2010:

- ✓ Adoption of a revised Commission Regulation declaring certain categories of aid compatible with the internal market and providing for **exemption of aid schemes** for the recruitment of disadvantaged workers⁴⁰ (2014);
- ✓ Launch of a comprehensive package of policy initiatives on education and employment: **Youth on the Move** - as part of the Europe 2020 Strategy, complemented by the **Youth Guarantee** to support employment of all young people, including those with a disability, and ensure that they do not stay out of a job, apprenticeship, traineeship or education for more than four months (2010 & 2013);
- ✓ Mainstreaming of disability issues in the **European Semester** process and policy publications;
- ✓ Support for **work-life balance** for people with disabled relatives, including publication of thematic reports by the European Social Policy Expert Network and organisation of an in-depth thematic review by the Social Protection Committee (2016);

³⁸ In addition, the First Report on the Progress made in the fight against trafficking in human beings (2016) as required under Article 20 of Directive 2011/36/EU on preventing and combating trafficking in human beings and protecting its victims {SWD(2016) 159 final} and the accompanying Commission Staff Working Document highlights that, based on the reports from the Member States, the exploitation of people with physical, mental and developmental disabilities is on the rise.

³⁹ Source: ANED estimations based on EU-SILC 2014.

⁴⁰ Commission Regulation (EU) No 651/2014 of 17 June 2014:
http://ec.europa.eu/competition/state_aid/legislation/block.html

- ✓ Launch of the **Social Business Initiative**, the European roadmap for the development of social enterprises⁴¹ (2012);
- ✓ Ongoing support to implementation of **national Diversity Charters**⁴² in 12 countries;
- ✓ Ongoing work of the **High Level Group on Disability**, including regular publication of reports with analysis on employment⁴³;
- ✓ Study on **Supported Employment** for People with Disabilities in the EU and EFTA-EEA, with good practices and recommendations⁴⁴ (2011);
- ✓ European Parliament report on **Reasonable Accommodation and Sheltered Workshops** for People with Disabilities⁴⁵ (2015);
- ✓ **In-depth Employment Analysis** conducted by social partners⁴⁶ (2015);
- ✓ Study on **Public Employment Services** (PES) for sustainable activation of people with disabilities⁴⁷ (2013);
- ✓ Use of the **European Social Fund** to enhance labour market participation - around 6.1 million participations were reported, of which 16% were identified as persons with disabilities between 2007 and 2013;
- ✓ Introduction of a condition to use at least 20% of the allocation of the European Social Fund for **social inclusion actions**, including for people with disabilities (2014);
- ✓ Various education projects to promote **career advancement** of people with disabilities, through the Erasmus programme;
- ✓ Funding of actions supporting the implementation of the **reasonable accommodation obligations**.

3.5 Education and training

Objective:

The Strategy promotes inclusive education and lifelong learning for pupils and students with disabilities. EU actions support national efforts to facilitate access of people with disabilities to quality general education systems, with effective individualised support measures.

Main progress since 2010:

- ✓ Launch of **Youth on the Move**⁴⁸ to improve young people's education and employability for all including people with disabilities⁴⁹ (2010 onward);

⁴¹ http://ec.europa.eu/growth/sectors/social-economy/enterprises/index_en.htm

⁴² http://ec.europa.eu/justice/discrimination/diversity/charters/index_en.htm

⁴³ <http://ec.europa.eu/social/main.jsp?catId=1137&langId=en>

⁴⁴ http://ec.europa.eu/justice/discrimination/files/cowi.final_study_report_may_2011_final_en.pdf

⁴⁵ http://www.europarl.europa.eu/RegData/etudes/STUD/2015/536295/IPOL_STU%282015%29536295_EN.pdf

⁴⁶ https://www.businesseurope.eu/sites/buseur/files/media/reports_and_studies/joint_idea_report_july_2015_final_v3.pdf

⁴⁷ <http://webcache.googleusercontent.com/search?q=cache:3ryNY0viCXcJ:ec.europa.eu/social/BlobServlet%3FdocId%3D10932%26langId%3Den+&cd=1&hl=en&ct=clnk&gl=be>

⁴⁸ http://ec.europa.eu/youthonthemove/index_en.htm

- ✓ Joint Report of the Council and the Commission on **the implementation of the Education and Training 2020 (ET2020) Strategic Framework**, with priority given to enhanced access to quality and inclusive mainstream education and training for all learners (2015);
- ✓ Ongoing collaboration – and financial support - with the **European Agency for Special Needs and Inclusive Education (EASNIE)**⁵⁰ to collect data on the participation of learners with special needs in education around the EU;
- ✓ **Collection of data and analysis** on the education-related EU2020 targets and the gaps between pupils with and without disabilities at EU level, by the Academic Network of European Disability experts⁵¹;
- ✓ Annual publication of the **Education and Training Monitor**⁵² with comparisons of early school leaving and tertiary education attainment rates by disability status;
- ✓ Definition of a whole school approach to **tackle early school leaving** by the ET2020 Working Group on Schools Policy (2014-2015), with an on-line **European Toolkit for Schools** gathering best practices to improve educational achievement for all;
- ✓ Mainstreaming of disability issues in **Erasmus+**, including specific funding available for the participation of students and staff with disabilities in mobility actions⁵³ and inclusion of accessibility and reasonable accommodation criteria in all relevant calls for proposals;
- ✓ Funding of projects to improve the **digital skills** of persons with disabilities;
- ✓ **Inclusion and Diversity Strategy**⁵⁴ applied to the **Youth strand** of Erasmus+ to ensure that young people with fewer opportunities have equal access to the programme, including young people with disabilities (2014 onward).

3.6 Social protection

Objective:

The Strategy aims to promote decent living conditions for people with disabilities. To reduce the risk of poverty and improve the social inclusion of people with disabilities, EU actions support national measures for quality and sustainable social protection systems.

Main progress since 2010:

- ✓ Launch of a consultation on a **European Pillar of Social Rights**, a proposal including provisions for persons with disabilities, notably regarding their need for enabling

⁴⁹ According to the last available data, in 2014 there were more than 100 000 participants in Youth Exchanges out of which 3 800 declared special needs, and 9100 volunteers including 300 with special needs.

⁵⁰ The support is in the form of an annual grant of approx. 1 M€ under the Erasmus+ programme.

⁵¹ <http://www.disability-europe.net/theme/education-training>

⁵² http://ec.europa.eu/education/tools/et-monitor_en.htm

⁵³ More than 800 students and staff with special needs have participated so far in activities funded by Erasmus+.

⁵⁴ http://ec.europa.eu/youth/news/2015/0130-youth-inclusion-diversity-strategy_en.htm

services and basic income security, and the risks of benefit traps to their labour market inclusion (2016);

- ✓ **White Paper on Pensions**, with 20 actions for adequate, safe and sustainable pensions and a recognition of the need to promote longer careers while ensuring solidarity with people who are unable to work longer (2012);
- ✓ Publication of the **Pension Adequacy Report** on the impact of early labour market exits due to disability⁵⁵ (2015);
- ✓ Ongoing work of the **Social Protection Committee** (SPC) on social protection and poverty reduction for persons with disabilities, notably through multilateral surveillance reviews, mutual learning activities and the introduction of a **vertical assessment of key social challenges and good social outcomes** as of 2016;
- ✓ Ongoing **exchanges of good practice** between Member States in the area of social protection through the Open Method of Coordination;
- ✓ Ongoing use of funding programmes – such as the European Social Fund and the Employment and Social Innovation Programme– to support **social innovation initiatives** and **national reforms** in the delivery of social services within the context of transition from institutional to community based care services.

3.7 Health

Objective:

Providing equal access to healthcare, including prevention, and quality and affordable specific health services is crucial to ensure a good quality of life for people with disabilities. The Strategy aims to foster access to health services and facilities for people with disabilities.

Main progress since 2010:

- ✓ Directive on the application of patients' rights in **cross-border healthcare**⁵⁶, facilitating access to medical care for people with disabilities (2011);
- ✓ **EU agenda for effective, accessible and resilient health systems**⁵⁷ to increase the accessibility of healthcare for all patients, including those with disabilities (2015);
- ✓ Launch of the **Action Plan for EU Health Workforce** to anticipate future skills needs for health professionals in a context of shift to community-based care and increasing numbers of older people with multiple chronic conditions and disabilities (2012 onward);

⁵⁵ The report notably demonstrated that in most but not all Member States, a worker with average earnings having to rely on disability benefits retirement will receive a relatively lower pension upon reaching pension age.

⁵⁶ Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:088:0045:0065:en:PDF>

⁵⁷ Communication from the Commission: "On effective, accessible and resilient health systems" COM(2014)

- ✓ Launch of the **EU Occupational Safety and Health Strategic Framework**, with particular attention paid to risks affecting disabled workers (2014-2020);
- ✓ **Joint Action on Mental Health and Well-being** to build a framework for action in mental health policy at the EU level (2013-2016);
- ✓ Second **Joint Action on Dementia** under the EU-Health Programme (2016-2019);
- ✓ Yearly campaign on "**Healthy Workplaces for All Ages**", looking at rehabilitation and return-to-work policies and measures;
- ✓ Development of **rare diseases** registries, a European Platform for rare diseases registration and guidance for social services and rare diseases (2015);
- ✓ **Telemedicine** projects, e.g. the Telehealth Services Code of Practice for Europe⁵⁸ or the development of "Next Generation" emergency services⁵⁹, including accessible emergency apps;
- ✓ A two-year **pilot project** funded by the European Parliament (VulnerABLE) is exploring the main health needs, barriers and challenges faced by vulnerable and isolated populations, including people with disabilities, and identifying best practices to support them and ultimately improve their health;
- ✓ Funding of **research projects** on ageing, mental health, access to healthcare, reduction of health inequalities, rare diseases and employability of people with health issues.

3.8 External action

Objective:

The EU, as a whole, is one of the largest donors worldwide supporting the inclusion of persons with disabilities while promoting and protecting their human rights. The Strategy aims to promote the rights of people with disabilities within the EU external action, including EU enlargement, neighbourhood and development programmes.

Main progress since 2010:

- ✓ Adoption of the **Strategic Framework and Action Plan on Human Rights and Democracy** (2012) and the revision of the Action Plan 2015-2019 with a specific focus on fighting discrimination, including against disability;
- ✓ Adoption of the Commission Staff Working Document on a **rights-based approach**, encompassing all human rights, **to EU development cooperation**, as a working methodology to promote non-discrimination and equal access⁶⁰, and the related Council Conclusions⁶¹;

⁵⁸ <https://ec.europa.eu/digital-single-market/en/news/code-practice-sets-benchmark-telehealth-services>

⁵⁹ <http://nexes.eu/>

⁶⁰ http://www.eidhr.eu/files/dmfile/SWD_2014_152_F1_STAFF_WORKING_PAPER_EN_V5_P1_768467.pdf

⁶¹ http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/142682.pdf

- ✓ EU support to the mainstreaming of disability concerns in the **Civil Protection Mechanism**, during the negotiations of the **Sustainable Development Goals (SDGs)** and the **Sendai Framework for Disaster Risk Reduction**;
- ✓ Council Conclusions on **disability-inclusive disaster management**⁶² (2015);
- ✓ Inclusion of the obligation to ensure **accessibility requirements** for persons with disabilities in the Practical Guide to Contract Procedures for EU External Action (2012);
- ✓ Inclusion of the rights of persons with disabilities as a topic for discussion in the **EU Human Rights dialogues with third countries and other meetings**;
- ✓ Adoption of a multi-actor approach on **forced displacement**, taking the needs of vulnerable groups into consideration (2016);
- ✓ Adoption of a global thematic project which will **develop the human rights' indicators** of the UNCRPD and policy guidelines for the implementation of the SDGs in line with the Convention;
- ✓ Adoption of the **European Instrument for Democracy and Human Rights (EIDHR) Multi-Annual Programme 2016-2017**, which includes the rights of persons with disabilities as one of the priorities of the EIDHR Global Call for 2017⁶³;
- ✓ **Capacity-building and awareness-raising of Commission staff members**, including from EU Delegations, via the 2012 guidance note on "Disability-Inclusive Development cooperation", training seminars, and the web platform "Disability and Development Network";
- ✓ Inclusion of **explicit provisions for the social inclusion and human rights of persons with disabilities** in the regulations establishing the financing instruments for development cooperation⁶⁴ and for democracy and human rights for 2014-2020;⁶⁵
- ✓ Inclusion of explicit provisions for accessibility in the regulation laying down **common rules for the implementation of the external action financing instruments**⁶⁶;
- ✓ Funding of more than **336 disability-specific projects** in 95 partner countries, mainly to promote the rights of persons with disabilities and their social inclusion (2010-2016);
- ✓ Projects assisting **survivors of landmines**, awareness raising campaigns, and practical operation supporting demining and support to victims.

⁶² <http://data.consilium.europa.eu/doc/document/ST-6450-2015-INIT/en/pdf>

⁶³ https://ec.europa.eu/europeaid/sites/devco/files/maap-eidhr-annex-2-20150207_en.pdf

⁶⁴ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32014R0233>

⁶⁵ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R0235>

⁶⁶ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R0236>

4. RAISING AWARENESS AND FIGHTING DISCRIMINATION AT EU-LEVEL

Still today, many EU citizens, including some citizens with disabilities, are not fully aware of the rights of persons with disabilities and how to access those rights. Discrimination continues to be a major barrier to the full inclusion of disabled people in society. In addition to the main achievements described above, the Commission has worked to raise awareness on the rights of people with disabilities in the Member States, to promote the recognition of their skills, merits and abilities and to fight prejudices and discrimination.

To keep citizens and stakeholders informed, the Commission regularly publishes information on its activities relevant to the **rights of persons with disabilities**⁶⁷ and on **anti-discrimination**⁶⁸ through various channels such as the EUROPA website, social media⁶⁹, press releases⁷⁰, communication campaigns and videos⁷¹. To make sure that everyone can access this information, the Commission has been working to improve the accessibility of the EUROPA website⁷² and of its documents.

Targeted awareness-raising campaigns are a good instrument to bring attention on a specific topic and can take the form of long-standing campaigns or one-off events. For instance, the annual **Access City Award**⁷³, launched in 2011, rewards EU cities that take exemplary steps to improve accessibility for persons with disabilities in the urban environment. Over the last six years, more than 250 cities have applied and 33 have been rewarded⁷⁴. The **European Year 2012 for Active Ageing** is another example of a successful awareness-raising campaign, this time addressing the relationship between ageing and disability. In 2016, for the first time an **award** has been given to the **best accessible airport** in cooperation with the Commission, the European Disability Forum (EDF) and Airports Council International (ACI-Europe)⁷⁵.

Working closely with **civil society and disabled people's organisations** is necessary to spread information across the EU. The Commission has been collaborating with many EU level organisations, including through specific funding for capacity-building, awareness-raising and dissemination activities. Civil society organisations provide the Commission with invaluable information on the situation of people with disabilities in the EU, contribute to awareness raising processes, put forward concrete and useful proposals and feedback on EU actions, and carry out concrete activities on the ground.

⁶⁷ <http://ec.europa.eu/social/main.jsp?catId=1137>

⁶⁸ http://ec.europa.eu/justice/discrimination/awareness/index_en.htm

⁶⁹ <https://www.facebook.com/socialeurope>

⁷⁰ http://europa.eu/rapid/press-release_IP-15-6147_en.htm

⁷¹ <http://ec.europa.eu/social/main.jsp?catId=1137&langId=en&videosId=2673&vI=en&furtherVideos=yes>

⁷² http://ec.europa.eu/ipg/standards/accessibility/index_en.htm

⁷³ <http://ec.europa.eu/social/main.jsp?catId=1141>

⁷⁴ <http://ec.europa.eu/avservices/video/player.cfm?sitelang=en&ref=I113290>

⁷⁵ http://www.edf-feph.org/Page_Generale.asp?DocID=13854&thebloc=34457

Every year, the Commission organises a key disability public awareness event where Member States and civil society are invited: the **European Day of Persons with Disabilities conference**⁷⁶. It gathers stakeholders from all over the EU to focus on a theme of the utmost importance to persons with disabilities. It is co-organised with the European Disability Forum. In addition the Commission organises the annual **Work Forum** which assesses the implementation of the UNCRPD⁷⁷ with those stakeholders involved at national level: Focal Points, Coordination Mechanisms and Monitoring Mechanisms. Civil society and disabled people's organisations also actively participate in the Work Forum.

Moreover, the Commission promotes the concept of **design for all and universal design** through policies and research and innovation projects⁷⁸, to develop interfaces and assistive technologies.

5. EU FUNDING TO SUPPORT RIGHTS OF PERSONS WITH DISABILITIES

The optimal use of EU funding is a crucial factor in ensuring that the objectives of the Strategy are met in all its areas of action.

Disability concerns were already mainstreamed in practice in the pre-2013 funding programmes in many areas (employment, education, research, anti-discrimination, etc.). The disability perspective was stepped up in the post-2013 funding programmes. For example:

- The **European Social Fund (ESF)**⁷⁹ sets out to support the EU implementation of the UNCRPD. There are currently numerous ESF projects providing concrete opportunities for people with disabilities in employment, training, accessibility, care services, social innovation and more.⁸⁰ In total, 2 to 2.5 million disadvantaged people, including persons with disabilities, are expected to benefit from funding.
- The **Horizon 2020 research programme**⁸¹ supports research projects on active and healthy ageing, mental health, personalised medicines, access to healthcare, ICTs, mobility aids, devices and assistive technologies, transport or socio-economic issues, addressing the daily needs of people with disabilities. For instance, the Commission dedicated 16M EUR for the period 2014 – 2015 to research on multimodal interfaces for assisting people with disabilities and 17M EUR to “Advanced digital games/gamification technologies”.

⁷⁶ <http://ec.europa.eu/social/main.jsp?langId=en&catId=88&eventsId=1069&furtherEvents=yes>

⁷⁷ <http://ec.europa.eu/social/main.jsp?catId=88&langId=en&eventsId=1038&furtherEvents=yes>

⁷⁸ https://ec.europa.eu/research/fp7/index_en.cfm

⁷⁹ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32013R1304>

⁸⁰ Examples of projects are published regularly:

<http://ec.europa.eu/esf/main.jsp?catId=46&langId=en&keywords=&country=0&theme=0&list=1>

⁸¹ <http://ec.europa.eu/programmes/horizon2020/>

- The **European Regional Development Fund**⁸² prioritises the promotion of social inclusion, de-institutionalisation and the fight against discrimination, while taking into account the specific needs of persons with disabilities⁸³ and requiring accessibility.
- **Erasmus+** (2014-2020) not only includes special needs support for mobility actions, but also funds disability-focused projects and organisations such as the European Forum of Sign Language Interpreters, and Telecentre Europe.
- The **Rights, Equality and Citizenship programme**⁸⁴ promotes the rights of persons with disabilities and non-discrimination through specific funding to EU level disability organisations, research, training and awareness-raising actions.
- The **EU Programme for Employment and Social Innovation**⁸⁵ supports quality and sustainable employment, adequate and decent social protection, the fights against social exclusion and poverty, and the improvement of working conditions, including for people with disabilities.
- The **European Agricultural Fund for Rural Development** promotes social inclusion and poverty reduction in rural areas. Measures such as basic services and local development strategies may contribute to improve the situation of persons with disabilities in the programming area. Furthermore, technical assistance support can be used to ensure compliance with the ex-ante conditionality on "Disability".

6. DATA, STATISTICS AND MONITORING TO SUPPORT EU POLICIES

To monitor the situation of people with disabilities and address the barriers they are facing, data collection is an essential – albeit challenging – factor. The implementation of the Strategy has yielded progress in both the collection of periodic disability-related statistics and in the development of indicators to monitor the evolution of the situation.

To implement the Strategy, the annual **EU Statistics on Income and Living Conditions** (EU-SILC) is being used, as it collects data on long-standing activity limitation due to health problems, as an appropriate proxy for disability. In addition, Eurostat annually publishes tables corresponding to the main SILC indicators (risk of poverty or social exclusion, material deprivation) using the Global Activity Limitation Indicator (GALI) as a proxy to monitor the situation of disabled people. EU-SILC data is also used by ANED to produce estimations of the Europe 2020 indicators on employment and education in relation to disabled persons.

Moreover, other specific modules and surveys have been undertaken to collect disability related data, including:

- A 2011 **Labour Force Survey ad hoc module**, looking at the situation of disabled people on the labour market compared to people without disabilities.

⁸² <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32013R1301>

⁸³ Close to 20 billion euros has been allocated by Member States to social inclusion and education objectives in the 2014-2020 programming period.

⁸⁴ http://ec.europa.eu/justice/grants1/programmes-2014-2020/rec/index_en.htm

⁸⁵ <http://ec.europa.eu/social/main.jsp?catId=1081>

- The **European Health Interview Survey**, which collects data every 5 years on the level of functioning and activity limitations in the population, health status, health determinants and healthcare use.
- The 2012/2013 **European Health and Social Integration Survey**, the most comprehensive EU source of data on the barriers to participation for people having a health problem or a basic activity difficulty, covering a wide range of socio-economic, health and participation aspects.

While these surveys provide important information, they do not yet collect data concerning people living in institutions (particularly old disabled people and children) or children in households (SILC starts from age 16).

To further harmonise data collection on disability in all its components, the Commission has been working to introduce the **Global Activity Limitation Indicator** (GALI) as a 'core' social variable in all relevant surveys. Negotiations between Eurostat and the EU Member States are ongoing to insert this disability variable into the **Labour Force Survey** once every two years, thus creating a reliable monitoring tool on the employment of people with disabilities. The 2017 SILC module on **children** will also include a disability perspective (GALI variable adapted for children), thus bridging the knowledge gap regarding children with disabilities in households.

The Commission has also been working closely with the **Academic Network of European Disability Experts** (ANED)⁸⁶ to analyse data on the situation of persons with disabilities in the Member States. ANED produces annual reports with data and indicators on specific topics such as transition to employment, political participation or social protection. Moreover, ANED monitors disability in the Europe 2020 targets and produces country reports within the European Semester process. Finally, ANED runs the Disability Online Tool of the Commission (DOTCOM) to monitor the state of the key political and legal instruments needed for the implementation of the UNCRPD.

7. OBLIGATIONS WITHIN THE EU INSTITUTIONS

The Strategy also identified actions needed within the EU institutions to comply with the obligations of the UNCRPD. Concrete steps have been taken to increase the employment of persons with disabilities in all EU institutions and to improve accessibility and use of EU buildings and information channels.

In addition, the Commission published in February 2015 a guide for managers and Human Resources' services on reasonable accommodation for staff with disabilities. A specific training on disability issues was also launched in 2013. The personnel selection procedures now provide reasonable accommodation to candidates with disabilities, such as extra time,

⁸⁶ <http://www.disability-europe.net/>

specific software, adapted formats and rooms. The accessibility of the EU career websites and IT tools is constantly monitored and enhanced. Selection board members were trained on disability and reasonable accommodation through a pilot project.

The Commission tries to ensure that any building selected to house Commission services in Brussels conforms to Belgian legal requirements for the accessibility of persons with disabilities. Accessibility of specific buildings has been tackled on a case-by-case approach to improve the situation for people with reduced mobility. However, accommodating other special needs, such as visual impairment, need to be foreseen as well.

The Commission tries, where possible, to ensure that its meetings and events are accessible, in particular through providing users of sign-language with appropriate interpretation or by making interpretation available via Webstreaming. In general, interpretation is provided in international sign-language, but, where this better suits the user, the Commission may provide a national sign-language.

The Commission continues its efforts to improve its attractiveness as an employer valuing diversity and inclusion, and is now in the process of finalising a Communication on *"A better workplace for all: a strategy for diversity and inclusion"* to further reinforce this commitment and taking into account the recommendations of the UN Committee on the UNCRPD.

The Commission is also aware that efforts should be maintained to ensure that all students with disabilities receive the reasonable accommodation needed to enjoy their right to inclusive quality education in European schools. The Commission is in constant contact with the Office of the Secretary-General of the European Schools and other stakeholders involved in the decision-making process in the European Schools system to raise awareness of the UNCRPD obligations.

8. COMPLETING THE IMPLEMENTATION OF THE STRATEGY

The Commission remains strongly committed to implementing the European Disability Strategy to its full extent, and all relevant actions will be continued in the period 2017-2020. As described above, significant progress has already been made in all areas of the Strategy, and while the implementation is on track, work remains to achieve its final objectives.

The objectives set out in all the eight areas of the Strategy in 2010 remain valid, as well as the instruments underpinning them. The dialogue with the UN Committee on the Rights of Persons with Disabilities on the implementation of the UNCRPD, and the subsequent recommendations for follow-up, showed that challenges remain in all eight areas. The Commission has taken into account the UN's recommendations in its implementation of the Strategy which already delivered concrete responses, such as the proposal for a European Accessibility Act.

The public consultation launched in preparation of this report backs the assessment that all the areas of action remain important for people with disabilities and their organisations, and that the EU should continue to act and to support Member States to fight poverty, unemployment, poor access to healthcare, lack of equal opportunities in education, insufficient accessibility, institutionalisation, and all other barriers faced by people with disabilities today.

Continued efforts therefore have to be made in the main areas of the Strategy. In particular, the following key ongoing actions in the frame of the Strategy have to be completed:

- Dissemination and supporting actions on the **Employment Equality Directive**, to raise public awareness in the EU and improve reporting of discrimination cases and access to justice⁸⁷.
- Commitment towards the adoption of the 2008 proposal for an **Equal Treatment Directive**⁸⁸ to fight discrimination on several grounds, including disability, in several key areas such as social protection, education, and access to goods and services. The Commission continues the negotiations with the Member States to push the Directive forward.
- Efforts **to improve accessibility for all** by carrying out the negotiations on the proposed EU legal instruments - including initiatives in the area of transports, products and services - and working on EU level accessibility standards.
- **Monitoring of the EU programmes and financial instruments** to ensure their full potential for the implementation of the Strategy at the EU and national levels, in line with the UNCRPD, in key areas such as access to employment and education, support to young people or deinstitutionalisation.
- **Cooperation with Member States** in the implementation of the UNCRPD, including through the Work Forum and the UN fora.

Those are but a few of the ongoing actions that the Commission keeps implementing.

The **Strategy's instruments** have been efficiently used and will continue to be in the coming years. The public consultation showed that the lack of awareness of EU citizens regarding disability issues remains one of the barriers to the inclusion and participation of people with disabilities. The UN recommendations pointed out the need to gather more statistics and data on people with disabilities in order to better monitor their situation and to better structure the dialogue with disability organisations. The financial support provided to disability-related projects and to disabled people and their organisations has contributed to progress in all the areas of the Strategy.

⁸⁷ The European Parliament is currently preparing an (own initiative) report on the application of the Employment Equality Directive (Rapporteur: Renate Weber).

⁸⁸ http://www.europarl.europa.eu/registre/docs_autres_institutions/commission_europeenne/com/2008/0426/COM_COM%282008%290426_EN.pdf

Mainstreaming of disability concerns remains an integral part of the implementation of the Strategy in all its areas and in all relevant future EU policies and legislations. The disability perspective has already been integrated in many relevant EU policies and programmes. Using the guidance in the Better Regulation package continues to be necessary, for instance in the preparatory work leading to the engineering of the **post-2020 EU funding programmes**.

The Commission continues to ensure a close cooperation with all stakeholders– including with Member States, the European Parliament, civil society, equality bodies, EU agencies, international organisations, etc. The European Parliament and the European Economic and Social Committee have prepared reports on the EU implementation of the UN Concluding Observations. The recommendations of these reports are being taken on board in the implementation of the European Disability Strategy. Both institutions have however expressed the position that additional efforts are required to achieve the goals of the Strategy, which in their opinion should not only be reviewed but also revised to better implement the UNCRPD.

The participation of disabled people and their organisations continues to be recognised as a central part of the implementation of the Strategy through instruments such as public consultations and civil dialogues. The organisation of strategic dialogue meetings on disability-relevant issues continues to be a platform to share views on current or future EU policies, exchange practices, and input into policy work. The participation of EU-wide networks working to promote and protect the rights of people with disabilities to this dialogue ensures that disability concerns are further mainstreamed in EU policies. The structure of this dialogue is being improved following the UN Concluding Observations.

9. CONCLUSION

The European Disability Strategy 2010-2020 puts forward a human rights approach of disability policies, in line with the UNCRPD.

Disability concerns have been mainstreamed in a wealth of EU level actions, policies and laws.

In addition, since the adoption of the strategy in 2010, it has been confirmed that a long term perspective is needed for the alignment of EU policies, laws and programmes to the UNCRPD. These efforts must be maintained to ensure the completion of the Strategy within the time horizon set for 2020. In view of the work still to be achieved, the Concluding Observations from the UN Committee on the Rights of Persons with Disabilities provide indispensable guidance. All this work also feeds the reflection to shape future EU disability policies, in cooperation with people with disabilities, their representative organisations and all relevant stakeholders.

This Progress report reconfirms the commitment of the European Commission to contribute to the full implementation of the UNCRPD in the European Union. It also reflects the challenges which remain in the frame of the European Disability Strategy to contribute to a European Union where persons with disabilities enjoy all their human rights and fundamental freedoms on an equal basis with others.

10. ANNEX 1 - ANALYSIS OF THE RESPONSES TO THE PUBLIC CONSULTATION ON THE REVIEW OF THE EUROPEAN DISABILITY STRATEGY 2010-2020

Analysis of the responses to the public consultation on the review of the European Disability Strategy 2010-2020

June 2016

DG Employment, Social Affairs and Inclusion
Unit C3: Disability and Inclusion

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Executive summary

Taking into account demographic ageing, it is expected that in 2020 there will be approximately 120 million citizens with disabilities in the EU, who often face barriers that prevent them from fully participating in all aspects of life on an equal basis with others. In its commitment to eliminate these barriers and improve the life of people with disabilities, the EU became a party to the UN Convention on the Rights of Persons with Disabilities (UN Convention).

At EU level, the UN Convention is implemented through the European Disability Strategy 2010-2020 (Strategy). This Strategy has identified eight main areas for action at EU level: Accessibility, Participation, Equality, Employment, Education and Training, Social Protection, Health and External Action. Having reached the halfway point in its implementation, the European Commission launched a public consultation with the aim of collecting views from a broad range of stakeholders on the:

- current situation of persons with disabilities
- impact of implementing the Strategy for the period 2010-2015

The respondents expressed critical views on the current situation of people with disabilities, most of them indicating that disabled people:

- cannot fully participate in everyday activities as other citizens
- do not enjoy the same rights as other citizens
- face discrimination in their everyday activities because of their disabilities
- find it more difficult to move to another Member State than other EU citizens

When respondents were asked to select from a list of issues the ones which they find more important for persons with disabilities, the issue mentioned most frequently was the "lack of equal opportunities in the labour market". When they were given the possibility to write freely in an open-ended question about other areas where they think the lives of persons with disabilities could be improved, the areas mentioned most frequently were "sexuality and affective relationships" and "awareness raising of disability and what it means to be disabled".

Again in an open-ended question, respondents expressed their views on challenges for children with disabilities that are different from the challenges faced by adults with disabilities. The challenge mentioned most frequently was the "lack of inclusive education in regular schools".

The views of the respondents on the impact of implementing the Strategy for the period 2010-2015 were also critical, most of them indicating that the situation of people with disabilities only improved slightly or not at all in the eight areas for action of the Strategy.

When respondents were asked to select from a list of factors the ones which they find more determining in achieving progress, even if this was limited, the factor mentioned most frequently was the "advocacy of interest groups and non-governmental organisations". When they had to choose from a list the main obstacles for a quicker progress, the obstacles mentioned most frequently were the "lack of political will" and the "lack of policy makers' understanding for the specificity of disability-related needs".

The respondents had the possibility to leave a general comment at the end of the consultation in an open-ended way. The issues mentioned most frequently were that "disability is a low priority for politicians" and the need for "more awareness raising of all disabilities, including Multiple chemical sensitivity and Electro-sensitivity" and for "a new action plan based on the recommendations of the UN Committee".

1. Introduction

The public consultation on the mid-term review of the European Disability Strategy was open between 22.12.2015 and 18.03.2016 and welcomed replies from all individuals and organisations. To reach as many people as possible, the questionnaire was translated in 23 official languages of the EU. For increased accessibility, respondents had the possibility to complete the questionnaire online or an accessible Word version of it, offline. An Easy-to-Read version was also available⁸⁹.

To promote the public consultation, a video which included international sign language interpreting and subtitles in English was prepared⁹⁰. The video and the questionnaire were disseminated through the dedicated websites of the European Commission, social media and among the stakeholders.

A total of 1518 contributions were received in response to the public consultation. 1374 respondents completed the online questionnaire, 143 respondents sent per post or email the accessible Word version of it and one respondent completed the Easy-to-Read version. Additionally, 12 contributions were received in the form of written position papers⁹¹.

All respondents were required to say if they reply as an individual or on behalf of an organisation and to provide their name or the one of their organisation. If they preferred not to do so, they were directed to the last question of the public consultation, where they could provide a general comment. Of the 1518 respondents, 67 preferred to only make a general comment.

The analysis of the responses to the public consultation follows the question structure in the questionnaire and differentiates between responses received from individuals and organisations⁹². Since not all questions were compulsory, the total number of respondents differs from question to question.

⁸⁹ <http://ec.europa.eu/social/main.jsp?catId=333&langId=en&consultId=19&visib=0&furtherConsult=yes>

⁹⁰ <http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=2421&furtherNews=yes>

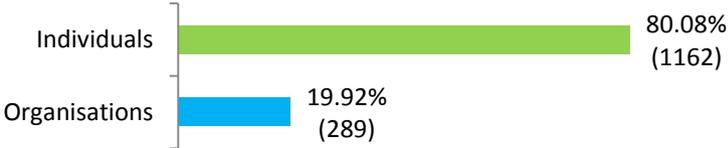
⁹¹ The position papers follow a different format than the public consultation questionnaire and are therefore not included in this analysis.

⁹² From a methodological point of view, it is important to note that the sample of respondents to this consultation is not statistically representative of the EU population.

2. Profile of respondents

Of the 1451 respondents who identified themselves, 80.08% contributed to the public consultation as individuals and 19.92% on behalf of organisations.

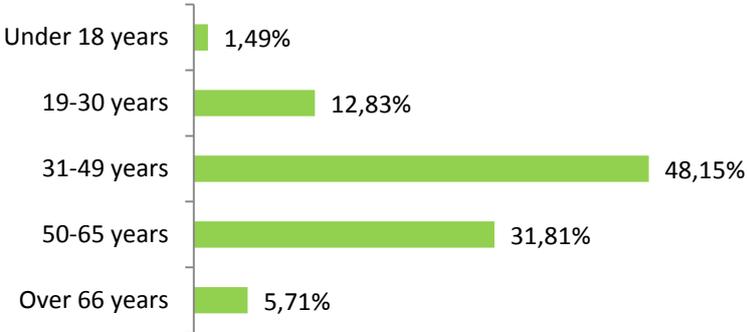
Fig. 1: Are you replying as an individual or on behalf of an organisation?



2.1 Questions for individuals

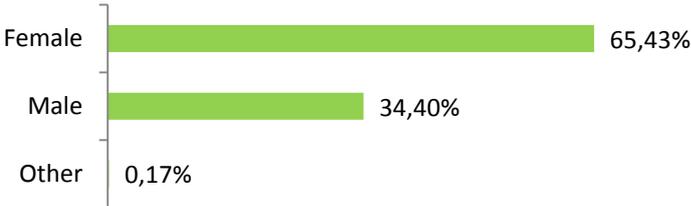
Of the 1138 individuals who gave details about their age, most of them (48.15%) were between 31 and 49 years old.

Fig. 2: What is your age group?



Of the 1157 individuals who said what gender they are, 65.43% were female and 34.40% male.

Fig. 3: What is your gender?



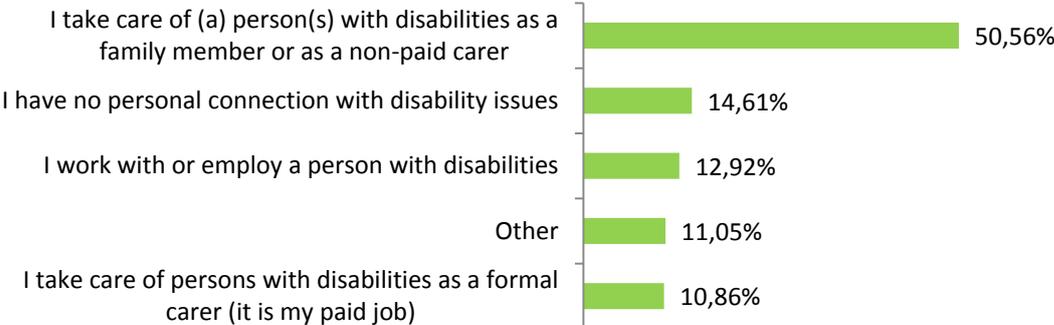
Of the 1143 individuals who responded if they are disabled or not, 50.74% did not have a disability and 49.26% had one.

Fig. 4: Do you have a disability?



Of those individuals who did not have a disability, most of them (50.56%) took care of (a) person(s) with disabilities as a family member or as a non-paid carer.

Fig. 5: If you don't have a disability, which of the options below apply?



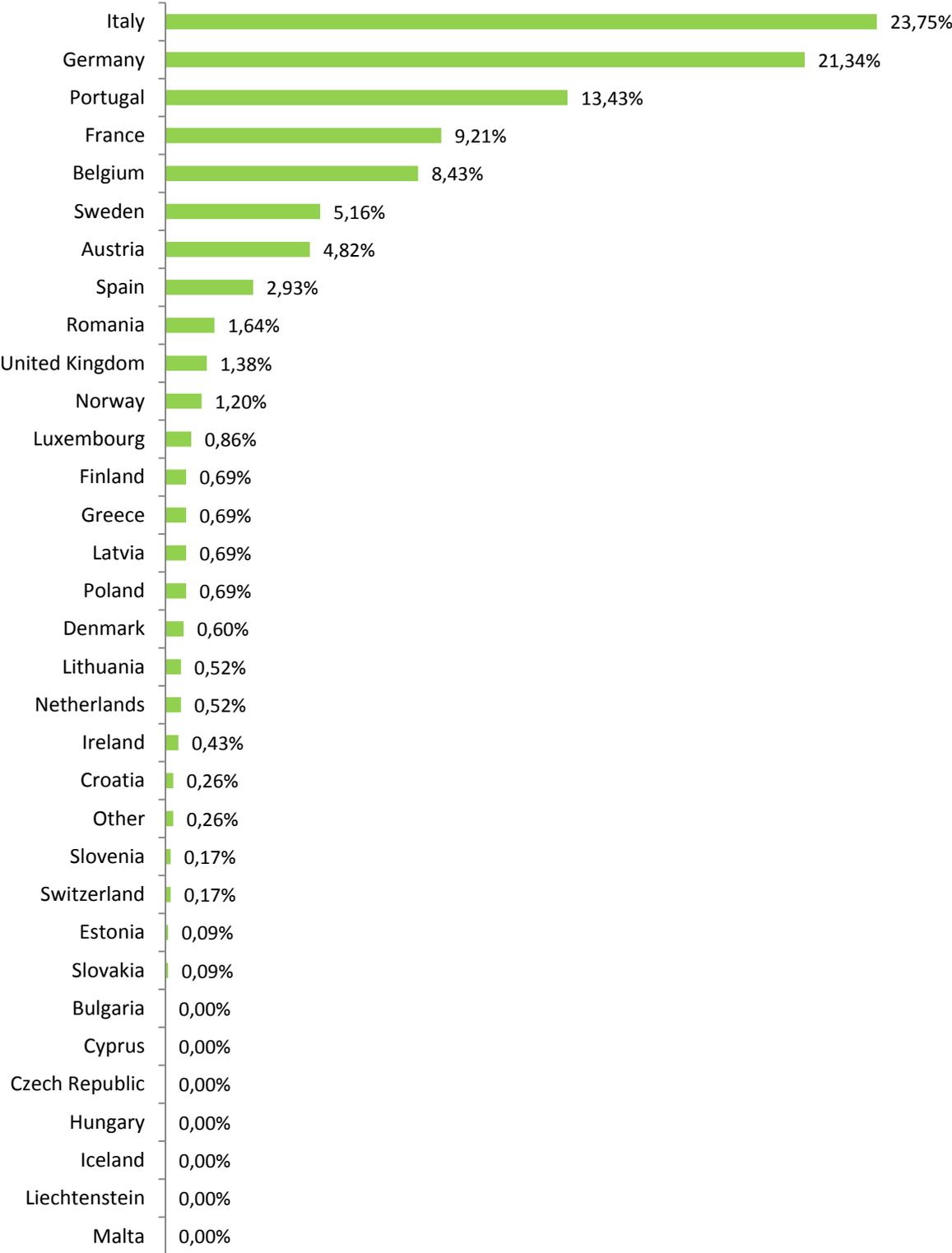
Of the 1111 individuals who gave details about their employment status, most of them (26.19%) worked in the public sector.

Fig. 6: Are you currently in employment, education or training?



Of the 1162 individuals who said in which country they live, most of them (23.75%) lived in Italy.

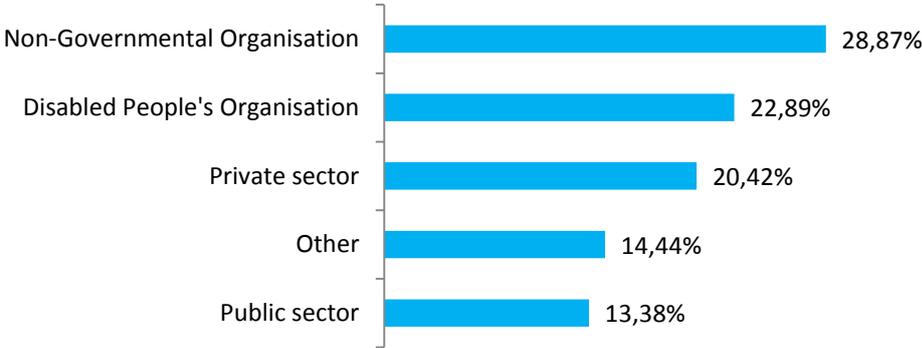
Fig. 7: In which country do you live?



2.2 Questions for organisations

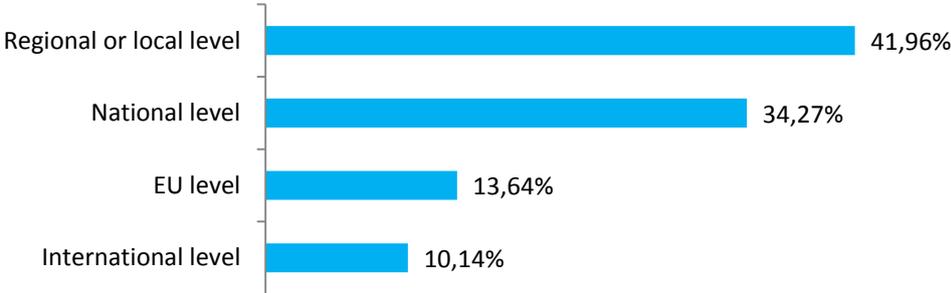
Of the 284 respondents who said what type of organisation they represent, most of them (28.87%) represented non-governmental organisations.

Fig. 8: What type of organisation do you represent?



Of the 286 respondents who said at what level the organisation they represent works, most of them (41.96%) chose the regional or local level.

Fig. 9: At what level does the organisation work?



Of the 281 respondents who gave details if their organisation employs people with disabilities or not, 59.43% said yes and 40.57% said no.

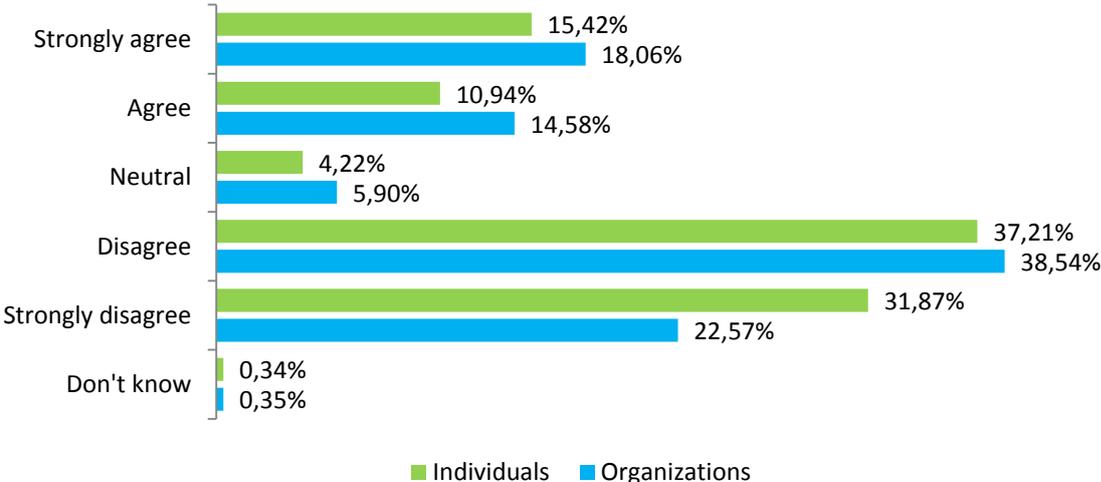
Fig. 10: Does your organisation employ persons with disabilities?



3. Views on the current situation of persons with disabilities

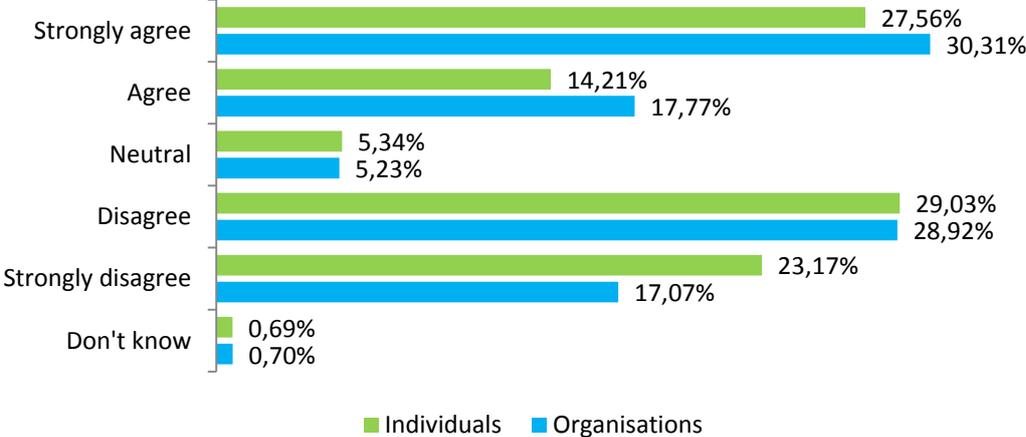
Of the 1161 individuals and 288 organisations who indicated how strongly they agree or disagree with the statement that persons with disabilities can fully participate in everyday activities as other citizens, most individuals (37.21%) and organisations (38.54%) disagreed with it.

Fig. 11: Agreement with: Persons with disabilities can fully participate in everyday activities as other citizens.



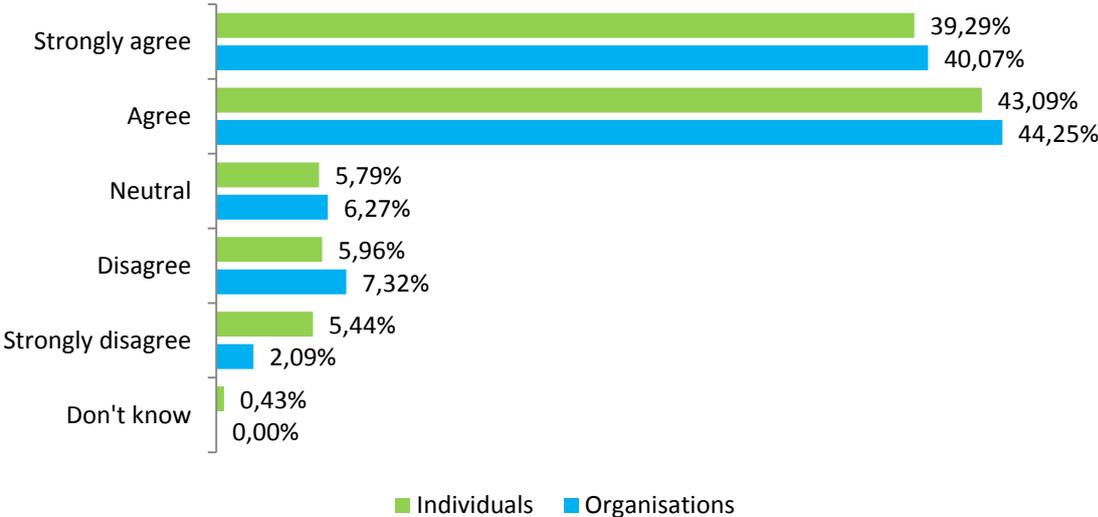
1161 individuals and 287 organisations indicated how strongly they agree or disagree with the statement that persons with disabilities enjoy the same rights as other citizens. Many individuals (27.56%) and organisations (30.31%) strongly agreed with it. However, there was also a high percentage of individuals (29.03%) and organisations (28.92%) who disagreed.

Fig. 12: Agreement with: Persons with disabilities enjoy the same rights as other citizens.



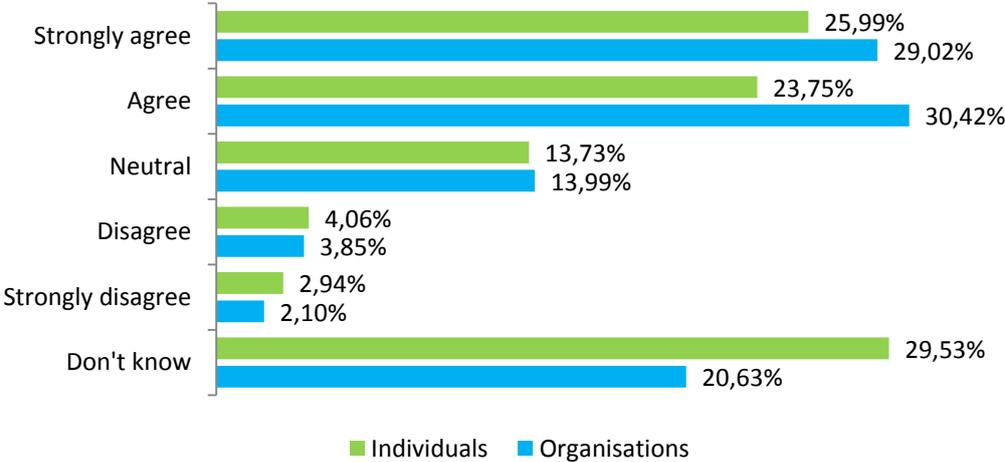
Of the 1158 individuals and 287 organisations who indicated how strongly they agree or disagree with the statement that persons with disabilities face discrimination in their everyday activities because of their disabilities, most individuals (43.09%) and organisations (44.25%) agreed with it.

Fig. 13: Agreement with: Persons with disabilities face discrimination in their everyday activities because of their disabilities.



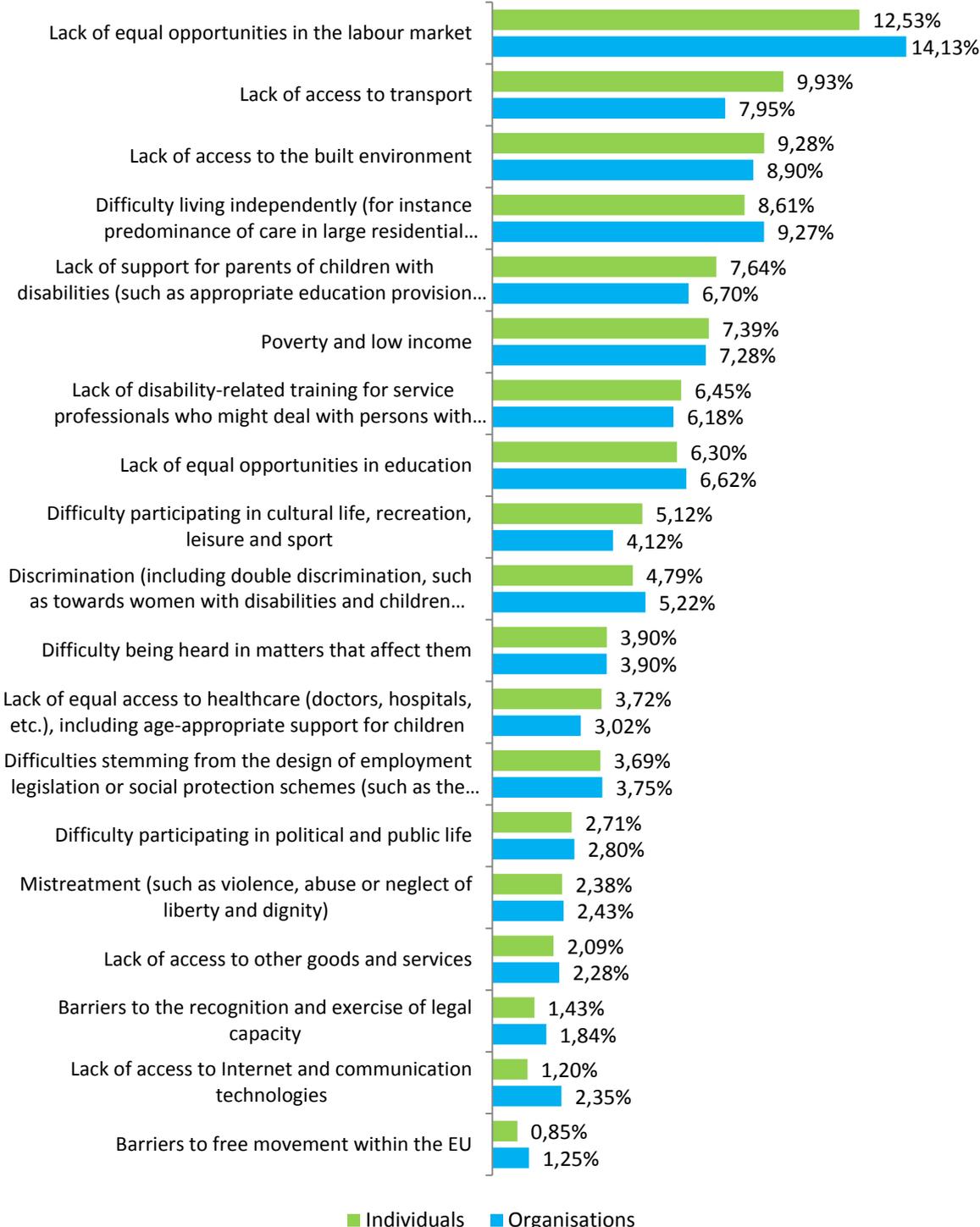
1158 individuals and 286 organisations indicated how strongly they agree or disagree with the statement that EU citizens with disabilities find it more difficult to move to another Member State than other EU citizens. Most individuals (29.53%) did not know what to reply and most organisations (30.42%) agreed with it.

Fig. 14: Agreement with: EU citizens with disabilities find it more difficult to move to another Member State than other EU citizens.



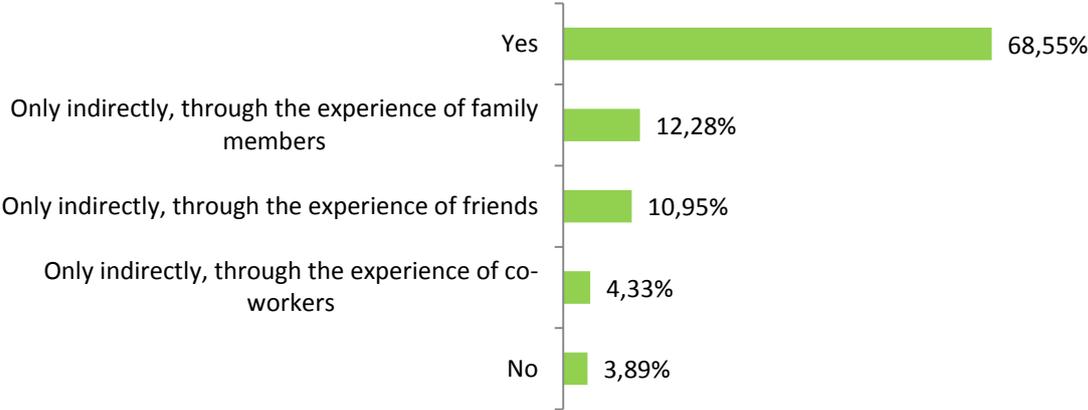
1160 individuals and 285 organisations selected from a list of issues the ones which they found more important for persons with disabilities. The issue mentioned most frequently by both individuals and organisations, in 12.53% and 14.13% of the cases respectively, was the "lack of equal opportunities in the labour market".

Fig. 15: Out of the following problems, which ones do you find more important for persons with disabilities?



Of the individuals who responded to the previous question, most of them (68.55%) experienced directly the problems mentioned.

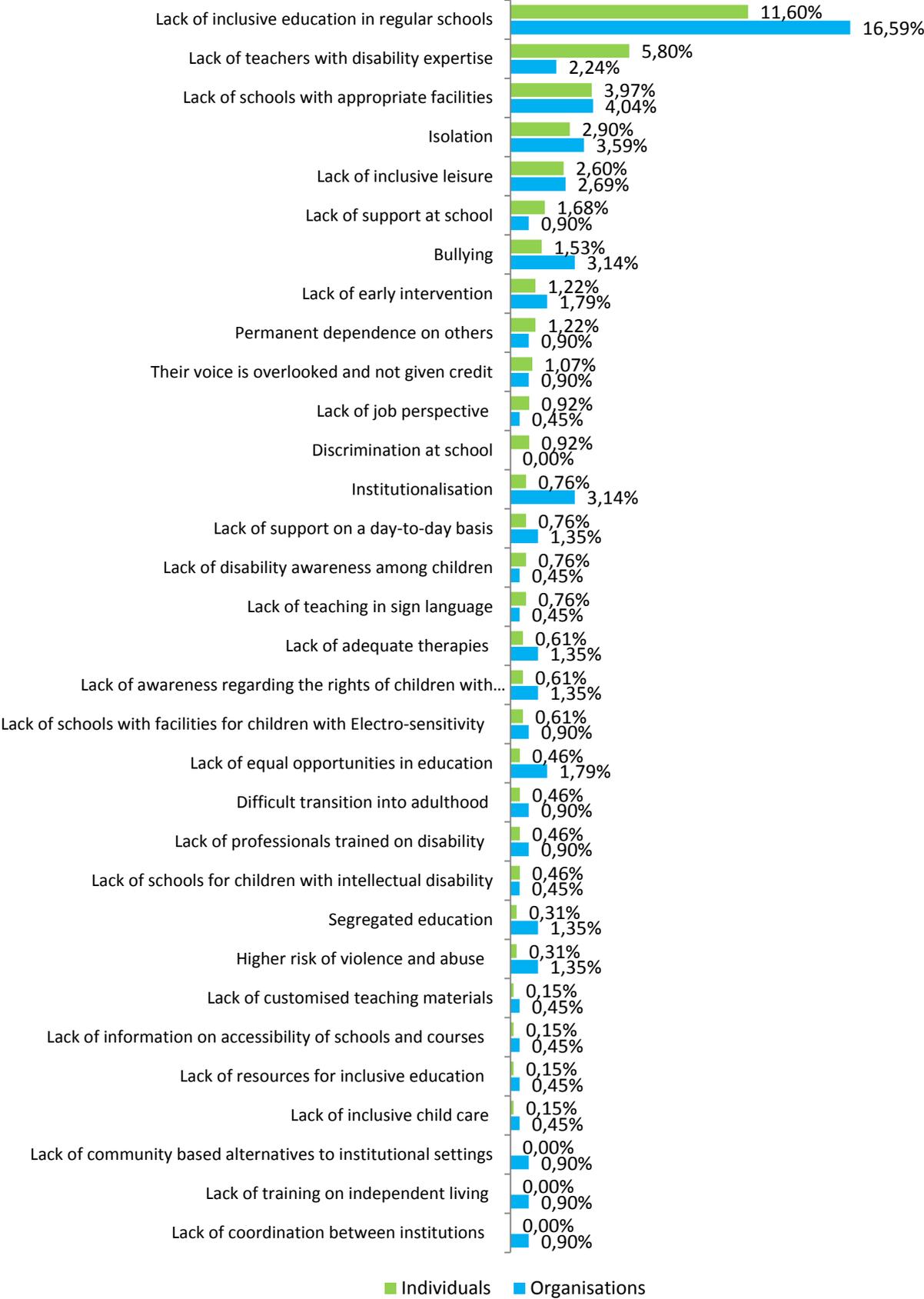
Fig. 16: Have you personally experienced any of the problems mentioned in the previous question?



623 individuals and 198 organisations expressed their views in an open-ended question on challenges for children with disabilities that are different from the challenges faced by adults with disabilities. A thematic analysis of their comments was carried out and challenges were identified and clustered. As can be seen in Fig. 17 below, the challenge mentioned most frequently by both individuals and organisations, in 11.60% and 16.59% of the cases respectively, was the "lack of inclusive education in regular schools"⁹³.

⁹³ Only those challenges that were mentioned at least twice are shown in Fig. 17. For this reason, the percentages in the chart do not add up to 100%.

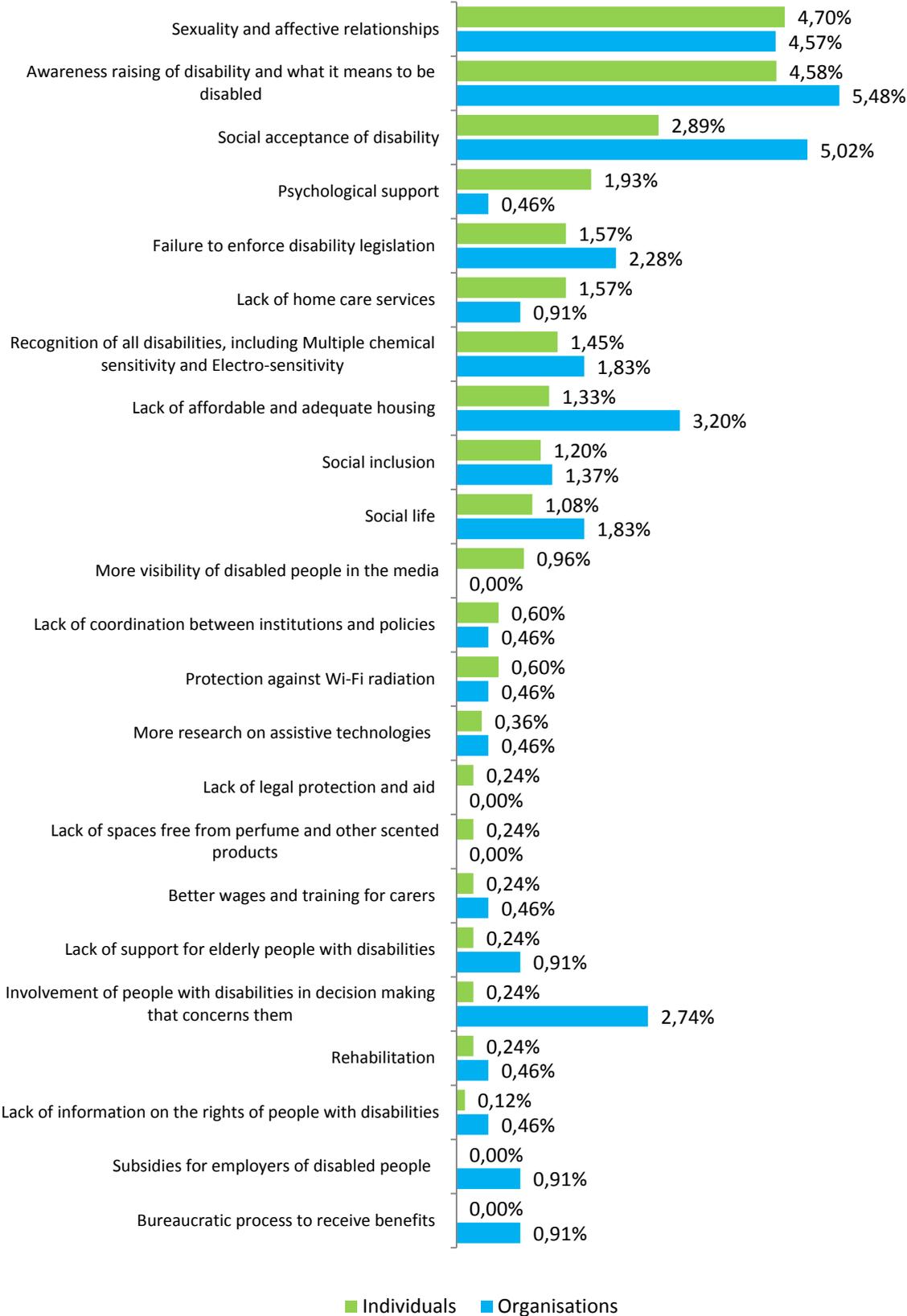
Fig. 17: Are there particular challenges that you can identify for children with disabilities that are different from the challenges faced by adults with disabilities?



888 individuals and 227 organisations gave examples in an open-ended question of other areas where they think the lives of persons with disabilities could be improved. A thematic analysis of their comments was carried out and main areas were identified and clustered. As can be seen in Fig. 18 below, the area mentioned most frequently by individuals was "sexuality and affective relationships" (4.70%) and by organisations "awareness raising of disability and what it means to be disabled" (5.48%)⁹⁴.

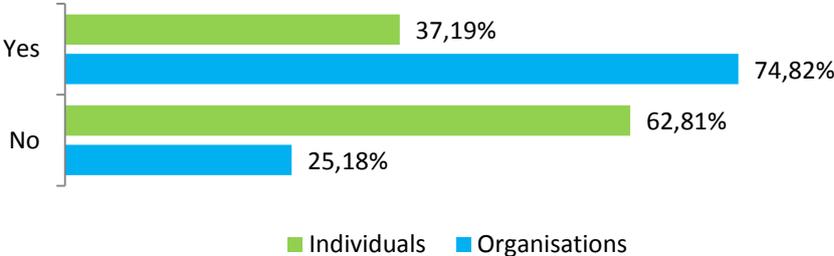
⁹⁴ Only those areas that were mentioned at least twice are shown in Fig. 18. For this reason, the percentages in the chart do not add up to 100%.

Fig. 18: Are there any other areas where you think the lives of persons with disabilities could be improved?



Of the 1089 individuals and 278 organisations who indicated if they are aware of the European Disability Strategy, 37.19% of individuals and 74.82% of organisations were aware of it.

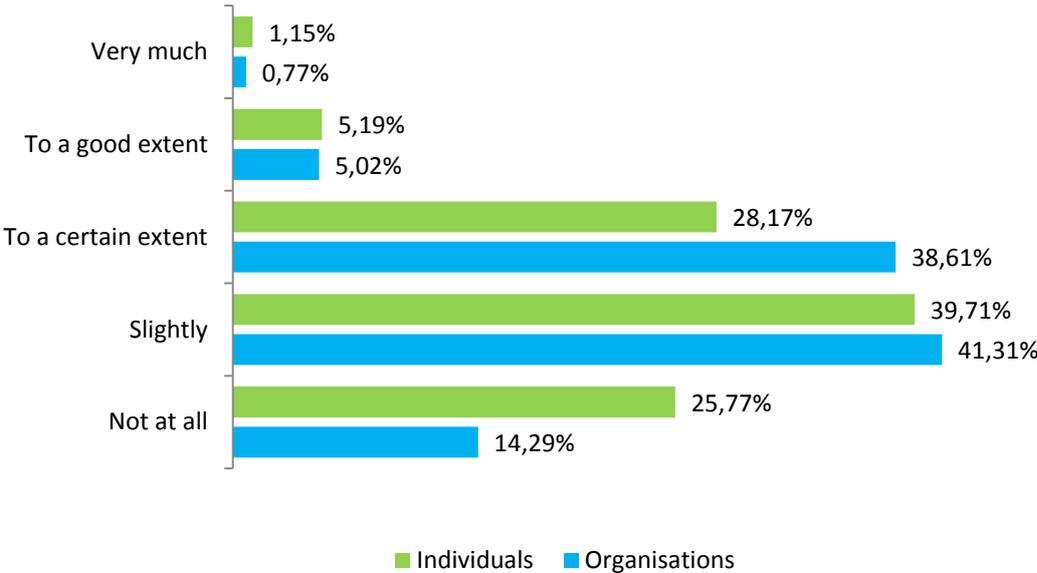
Fig. 19: Are you aware of the European Disability Strategy 2010-2020?



4. Views on the impact of implementing the Strategy for the period 2010-2015

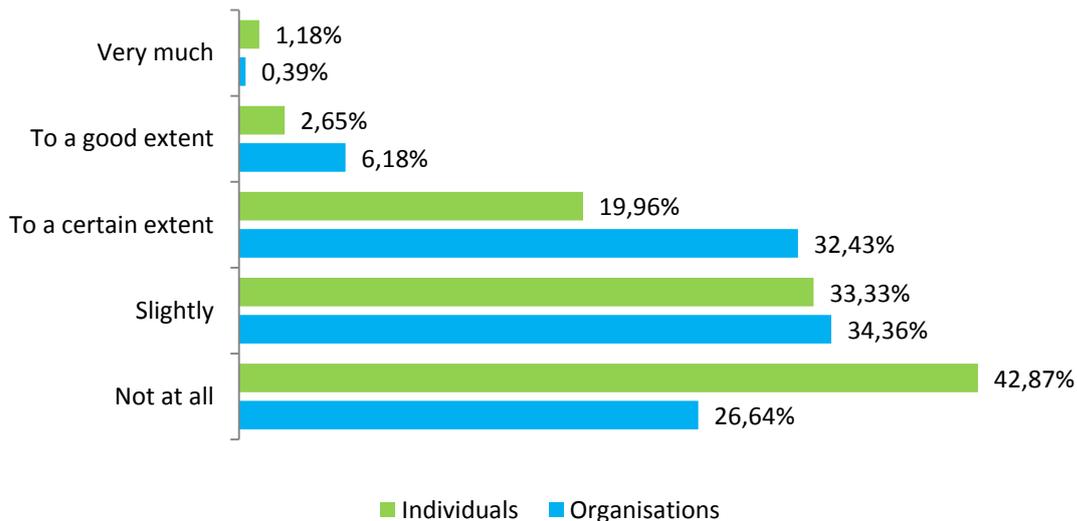
Of the 1040 individuals and 259 organisations who indicated to what extent the situation of people with disabilities improved in the last five years in the area of accessibility, most individuals (39.71%) and organisations (41.31%) said it improved slightly.

Fig. 20: Five years after the adoption of the Strategy, how has the situation of persons with disabilities improved in the area of accessibility?



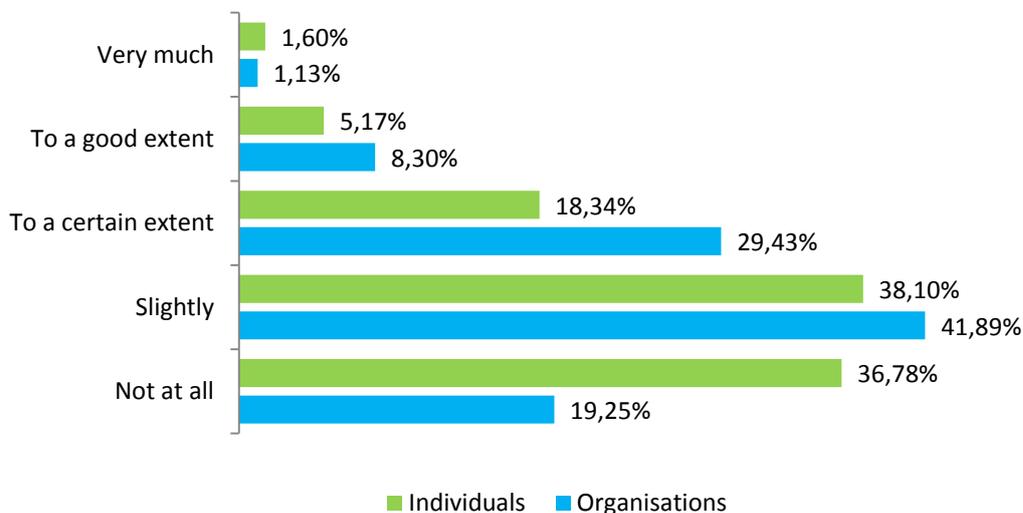
1017 individuals and 259 organisations indicated to what extent the situation of people with disabilities improved in the last five years in the area of participation. Most individuals (42.87%) said it did not improve at all and most organisations (34.36%) said it improved slightly.

Fig. 21: Five years after the adoption of the Strategy, how has the situation of persons with disabilities improved in the area of participation?



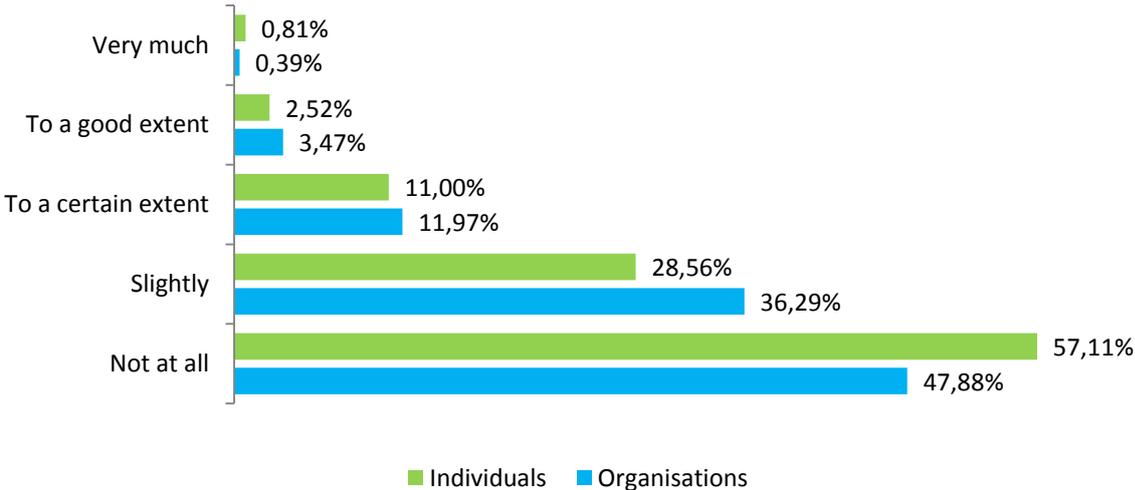
Of the 1063 individuals and 265 organisations who indicated to what extent the situation of people with disabilities improved in the last five years in the area of equality, most individuals (38.10%) and organisations (41.89%) said it improved slightly.

Fig. 22: Five years after the adoption of the Strategy, how has the situation of persons with disabilities improved in the area of equality?



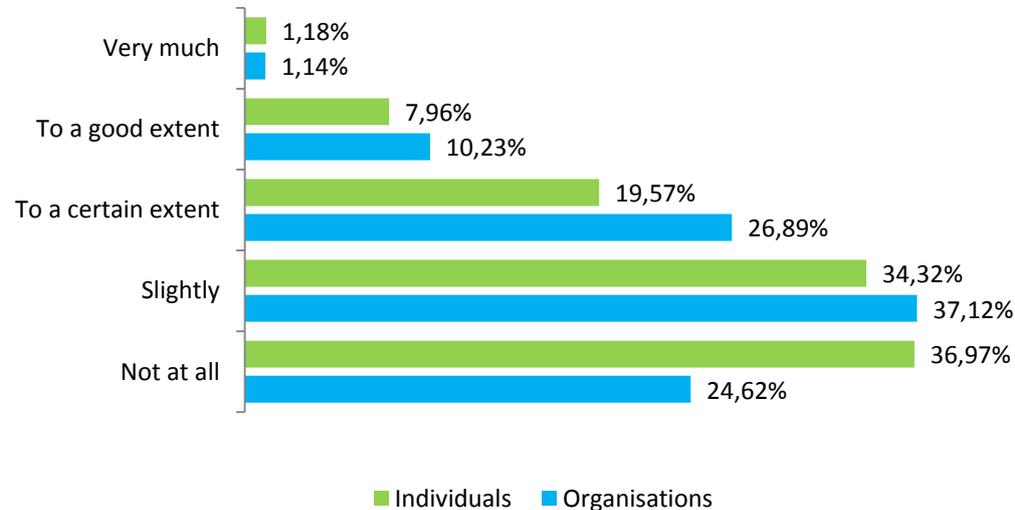
Of the 991 individuals and 259 organisations who indicated to what extent the situation of people with disabilities improved in the last five years in the area of employment, most individuals (57.11%) and organisations (47.88%) said it did not improve at all.

Fig. 23: Five years after the adoption of the Strategy, how has the situation of persons with disabilities improved in the area of employment?



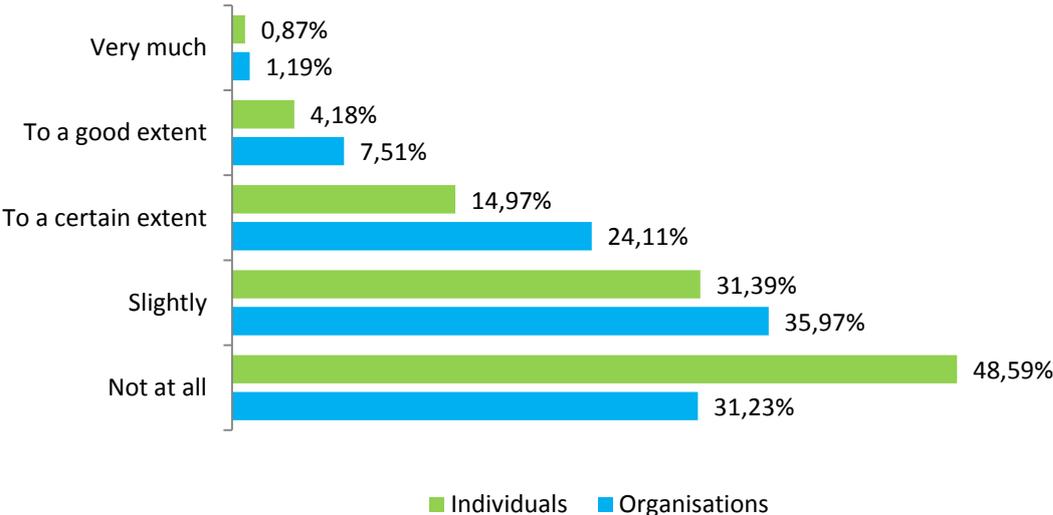
1017 individuals and 264 organisations indicated to what extent the situation of people with disabilities improved in the last five years in the area of education and training. Most individuals (36.97%) said it did not improve at all and most organisations (37.12%) said it improved slightly.

Fig. 24: Five years after the adoption of the Strategy, how has the situation of persons with disabilities improved in the area of education and training?



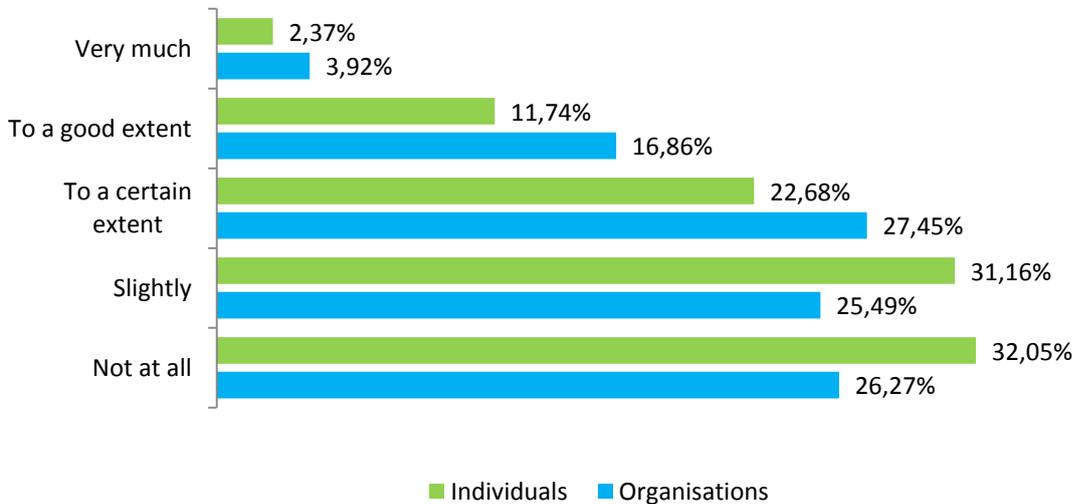
Of the 1029 individuals and 253 organisations who indicated to what extent the situation of people with disabilities improved in the last five years in the area of social protection, most individuals (48.59%) said it did not improve at all and most organisations (35.97%) said it improved slightly.

Fig. 25: Five years after the adoption of the Strategy, how has the situation of persons with disabilities improved in the area of social protection?



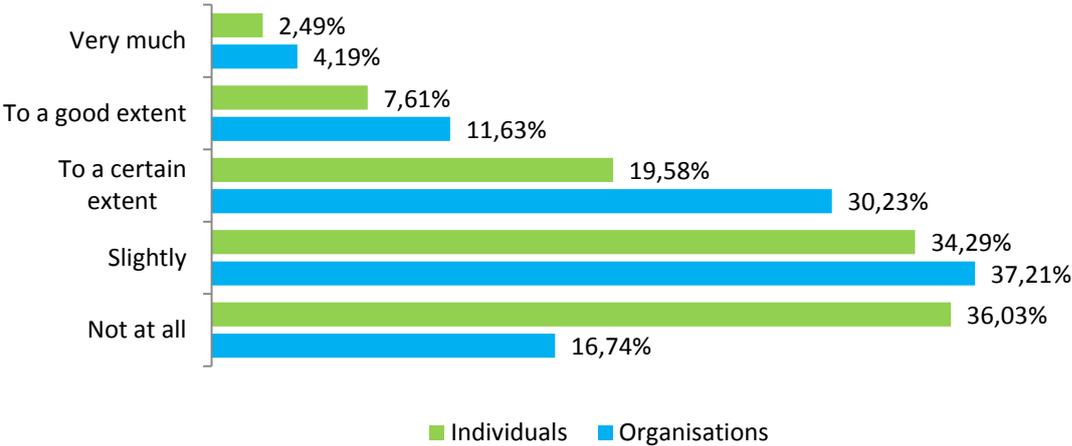
1014 individuals and 255 organisations indicated to what extent the situation of people with disabilities improved in the last five years in the area of health. Most individuals (32.05%) said it did not improve at all and most organisations (27.45%) said it improved to a certain extent.

Fig. 26: Five years after the adoption of the Strategy, how has the situation of persons with disabilities improved in the area of health?



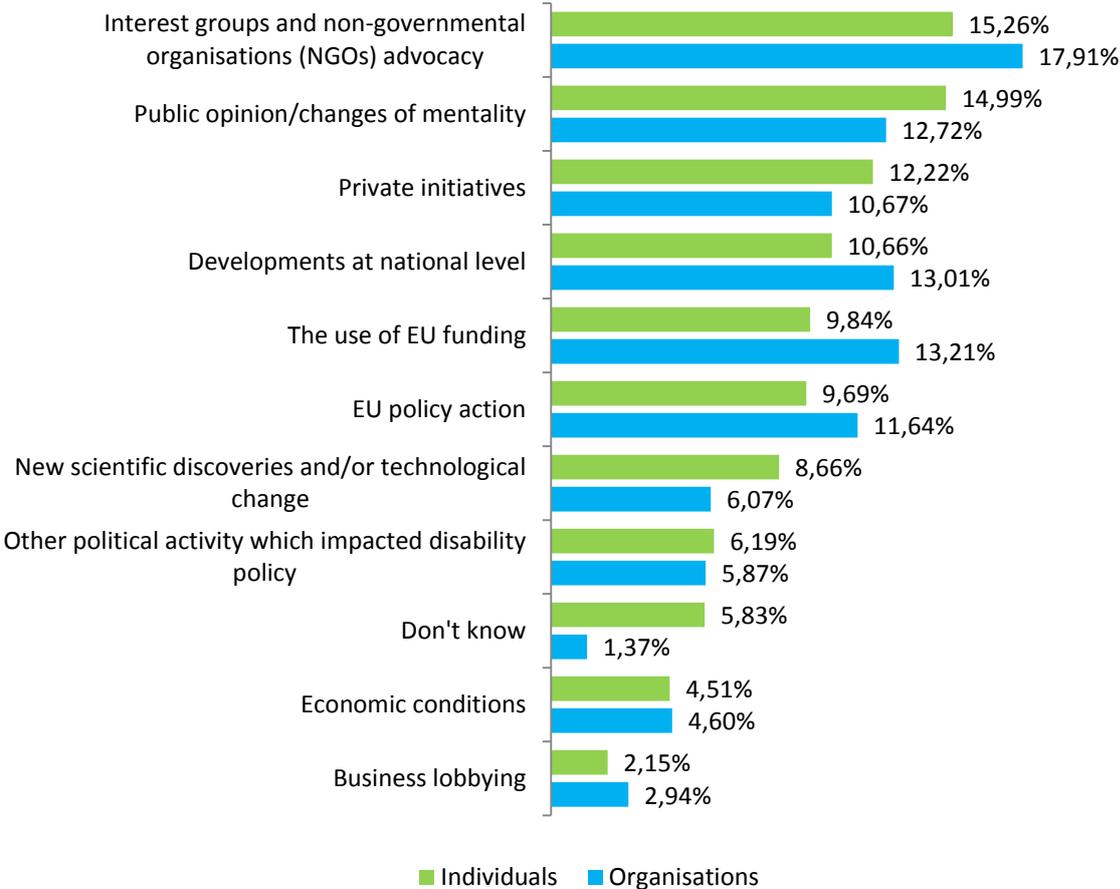
Of the 802 individuals and 215 organisations who indicated to what extent the situation of people with disabilities improved in the last five years in the area of external action, most individuals (36.03%) said it did not improve at all and most organisations (37.21%) said it improved slightly.

Fig. 27: Five years after the adoption of the Strategy, how has the situation of persons with disabilities improved in the area of external action?



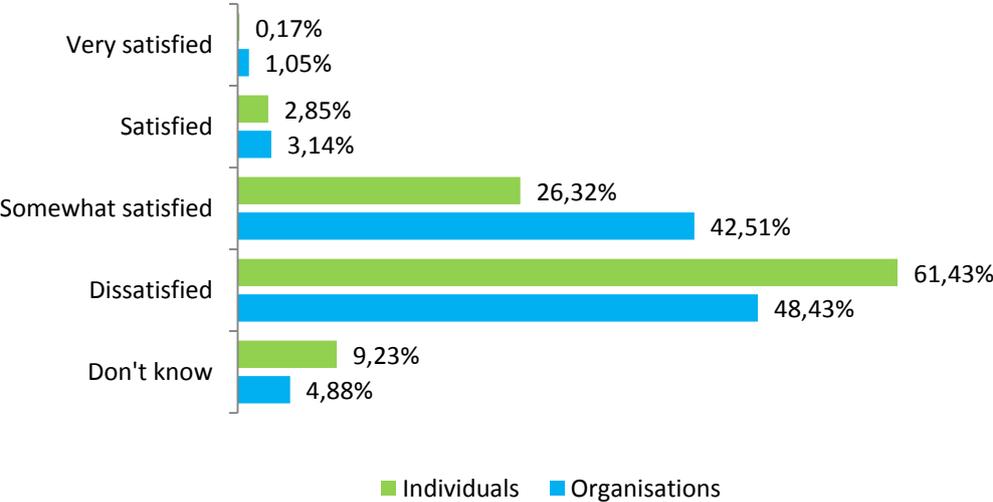
1159 individuals and 288 organisations selected from a list of factors the ones which they found more determining in achieving progress. The factor mentioned most frequently by both individuals and organisations, in 15.26% and 17.91% of the cases respectively, was the "advocacy of interest groups and non-governmental organisations".

Fig. 28: Which factors were more determining in achieving progress, even if limited?



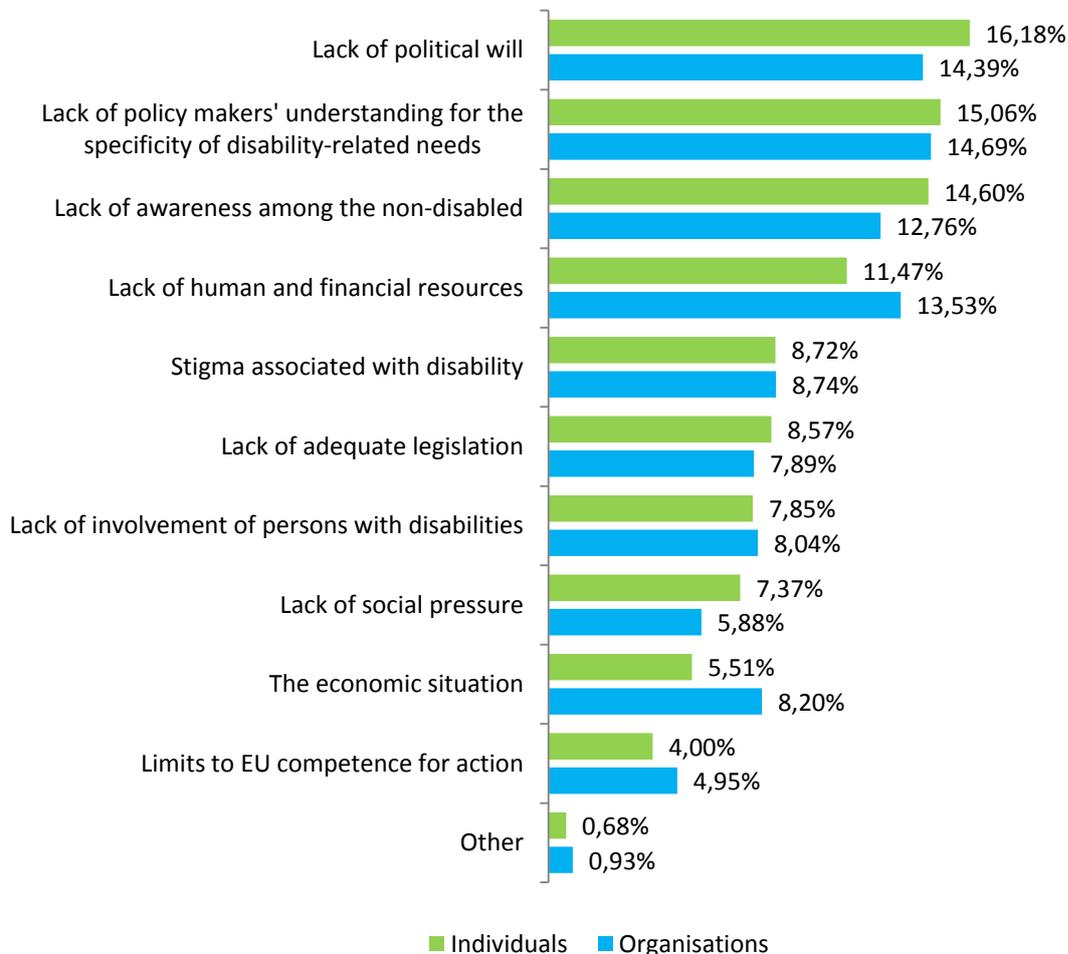
Of the 1159 individuals and 287 organisations who rated their satisfaction with what has been achieved in the last five years to improve the situation of people with disabilities, most individuals (61.43%) and organisations (48.43%) were dissatisfied.

Fig. 29: Please rate your overall satisfaction with what has been achieved in the last five years (2010-2015) to improve the situation of persons with disabilities:



1159 individuals and 288 organisations selected from a list the main obstacles for a quicker progress. The obstacle mentioned most frequently by individuals was the "lack of political will" (16.18%) and by organisations the "lack of policy makers' understanding for the specificity of disability-related needs" (14.69%).

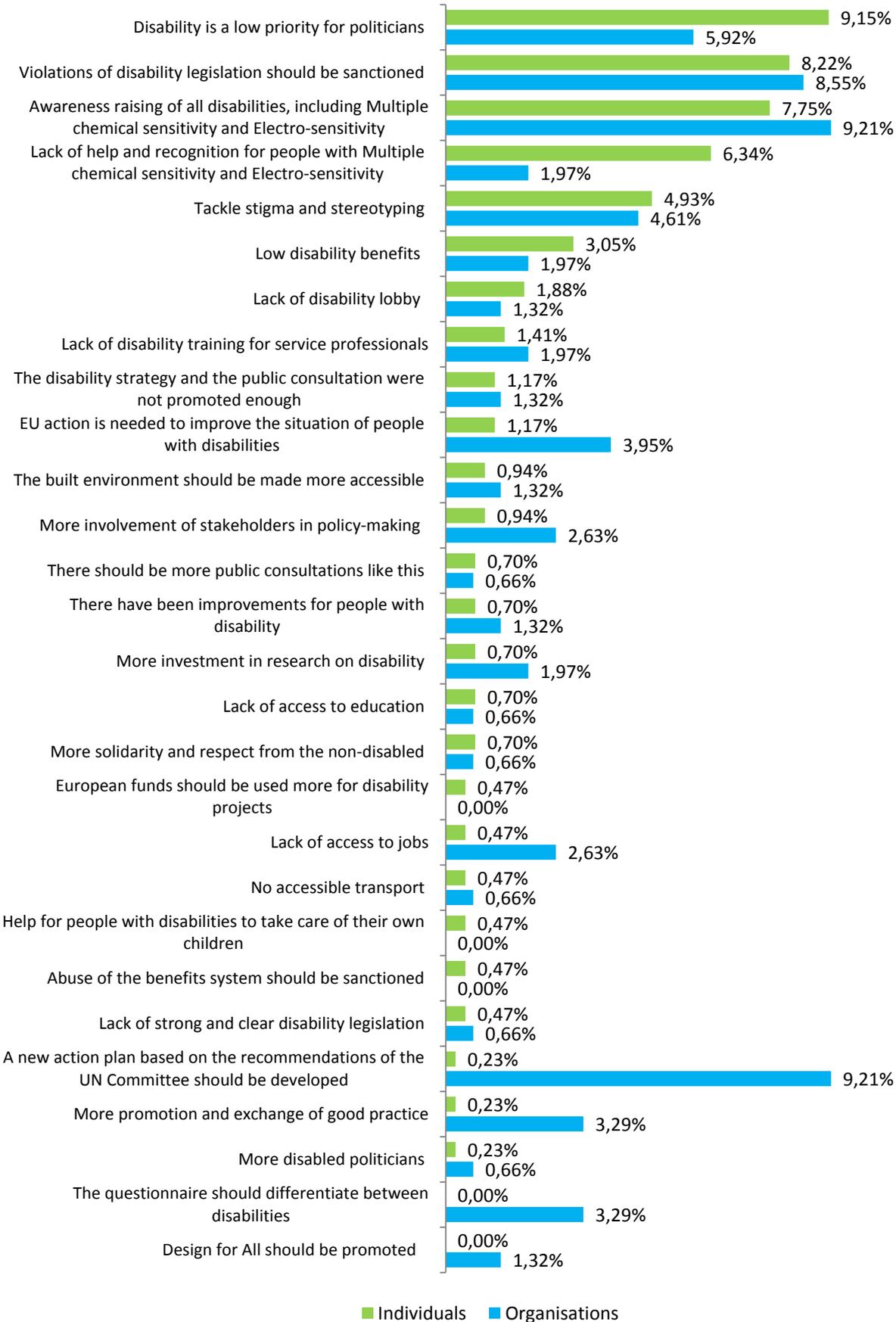
Fig. 30: Which do you think are the main obstacles for a quicker progress?



388 individuals and 123 organisations left a general comment at the end of the consultation in an open-ended way. A thematic analysis of their comments was carried out and main issues were identified and clustered. As can be seen in Fig. 31 below, the issue mentioned most frequently by individuals was that "disability is a low priority for politicians" (9.15%). The organisations highlighted the need for "more awareness raising of all disabilities, including Multiple chemical sensitivity and Electro-sensitivity" (9.21%) and requested a "new action plan based on the recommendations of the UN Committee" (9.21%)⁹⁵.

⁹⁵ Only those issues that were mentioned at least twice are shown in Fig. 31. For this reason, the percentages in the chart do not add up to 100%.

Fig. 31: Do you have a general comment?



11. ANNEX 2 - TABLE ON THE IMPLEMENTATION OF THE EUROPEAN DISABILITY STRATEGY 2010-2020

In order to ensure the implementation of the European Disability Strategy 2010-2020, the European Commission identified specific objectives and different actions to achieve them. The purpose of this table is to provide a tool to monitor the implementation of the listed activities towards achieving the objectives of the Strategy.

In the "Who" column and "When" column the "chef de file" services (or the responsible services) and the foreseen delivery dates respectively are identified.

1. ACCESSIBILITY

Specific objective		
Prevent, identify and eliminate obstacles and barriers to accessibility. Key areas include the built environment, transport and information and communication including technologies and services.		
Key actions	When	Progress to date (2016)
– Launch a study on cost benefit analysis and data collection on accessibility of goods and services in the areas of ICT, built environment and transport addressing the functioning of the internal market, as preparation for the possible development of a European Accessibility Act	Completed	The study was contracted in November 2011 following an open call for tender and was completed by 2013. The study collected data on cost/benefit of accessibility in the internal market to support the preparation of the impact assessment for the development of a European Accessibility Act.
– Consult Member States and other stakeholders on a possible 'European Accessibility Act'	Completed	A public consultation (December 2011-February 2012) collected contributions and opinions from ca. 800 stakeholders. A Eurobarometer survey on accessibility was held in 2012. Over 25.000 Europeans have been consulted

		<p>across the EU. Its <u>results</u> were published on 03/12/2012 (ref. 345).</p> <p>In addition a targeted consultation with SMEs took place and collected 180 responses.</p>
<p>– Prepare a European Accessibility Act setting out a general accessibility framework in relation to goods and services</p>	Completed	<p>The proposal for a European Accessibility Act was adopted in December 2015.</p>
<p><i>Explore the possibility to complete the legal framework addressing rights of persons with reduced mobility by covering all relevant modes of transport</i></p>		
<p>– Finalise negotiations in Council on proposal for Regulations on the Rights of passengers (including persons with reduced mobility) travelling by road, rail and sea</p>	Completed	<p>The Regulation 1177/2010 (passengers in sea and inland waterways) and Regulation 181/2011 (bus and coach transport) were adopted. The rights of disabled passengers and passengers with reduced mobility are covered by these Regulations.</p> <p>There is now a set of basic legislation to protect the rights of disabled persons and persons with reduced mobility when travelling in all modes of transport.</p>
<p>– Report on the application of the Regulations on the Rights of persons with reduced mobility travelling by air</p>	Completed	<p>This report was adopted (COM(2011)166 of 11 April 2011). Guidelines to improve the application of the Regulation on the Rights of disabled persons and persons with reduced mobility when travelling by air were published in June 2012.</p>

<ul style="list-style-type: none"> – Address problems related to compensation claims concerning damages of mobility equipment (wheelchairs and other Assistive devices) when travelling 	Ongoing	<p>A proposal for a revision of Regulation (EC) 261/2004 was adopted on 13 March 2013 (COM(2013)130 final). The proposal intends to increase liability of air carriers with regard to mobility equipment up to the actual value of the equipment. The proposal is still negotiated in Council.</p>
<ul style="list-style-type: none"> – Address accessibility of transport infrastructures through accessibility Mandate 420 	Ongoing	<p>The results of Phase I of Mandate 420 have been delivered to the Commission for approval. The contract for Phase II of the Mandate is signed and the work for the development of the standard is ongoing.</p>
<p><i>Address accessibility to the Built environment</i></p>		
<ul style="list-style-type: none"> – Continue improving accessibility to the urban environment through implementation of the Urban mobility Action plan 	Ongoing	<p>In November 2011 the Commission launched a 12-month fact finding study on the legal and contractual bases on passenger rights in urban public transport and taxis, including rights of disabled passengers and passengers with reduced mobility. The results have been published on the Commission's (MOVE) website: http://ec.europa.eu/transport/themes/urban/studies/doc/2012-11-fact-finding-study-passenger-rights.pdf</p> <p>At the end of 2010 the Commission launched a 15-month study on the improvement of urban mobility data and statistics. The issue of quality indicators on accessibility was addressed in this study: http://ec.europa.eu/transport/themes/urban/studies/doc/2013-05-harmonised-collection-data-and-statistics-urban-transport.pdf</p>

<p>– Promote accessibility of the built environment as part of the sustainable construction area of the "lead market initiative"</p>	<p>Ongoing</p>	<p>See point below on Mandate 420.</p>
<p>– Implement Standardisation Mandate 420 on accessibility to the built environment</p>	<p>Ongoing</p>	<p>After approval of Phase I report, the contract is signed and the work for the development of the standard is ongoing.</p>
<p>– Exploit the opportunities provided by the Galileo system supporting pilot projects related to disabilities</p>	<p>Ongoing</p>	<p>Some Framework Programme VII projects have been financed to carry out research and development activities related to supporting people with disabilities. Examples are: INCLUSION (Innovative LBS for social/public dimension) - the main output of the project is a handheld application, that is a location-based service (LBS) solution offering motor-impaired persons improved mobility in safe conditions, helping them navigate traffic safety problems and limited accessibility of public transport.</p> <p>PERNASVIP (PERSONal NAVigation System for VISually disabled People) - the outcome of the project is a GNSS-based mobility service dedicated to visually disabled pedestrians in urban environment.</p> <p>IEGLO (Infrastructure-based EGNOS/Galileo receiver for personal mobility) - the project focuses on the development of the GNSS solution for the indoor and outdoor tracking, tracing and emergency detection of elderly people. In the frame of IEGLO a small GNSS based tracking device with integrated WLAN and RFID</p>

		and a user-friendly application were developed.
<i>Make full use of all existing legal instruments and address disability matters in their revisions following the UN Convention in the area of Information Society in line with the Digital Agenda for Europe</i>		
– Implement the disability related provisions of the directives in the Regulatory framework for electronic communications in the European Union and of the Audiovisual Media Services Directive	Ongoing	The Commission carried out a REFIT evaluation of the provisions as part of the telecoms framework review. The new European Electronic Communications Code was proposed in September 2016 with an update of the provisions. The provisions include equivalent access and choice for disabled end-users and affordability of equipment and services enhancing equivalent access. The Audiovisual Media Services Directive is also being reviewed.
– Systematically evaluate accessibility in revisions of legislation undertaken under the Digital Agenda, e.g., eIdentity & eSignature, following the UN Convention on the Rights of Persons with Disabilities	Ongoing	References to disability and accessibility were included in the new Regulation (EU) 910/2014 on electronic identification and trust services.
– Promote dialogue between users and industry leading to voluntary agreements in the areas of: <ul style="list-style-type: none"> – copyright: EU Memorandum of Understanding on access to works by people with print disabilities – digital television: cooperation between industry and organisations of persons with disabilities 	Ongoing	In September 2010, a Memorandum of Understanding (MoU) on access to works by people with print disabilities was signed by European authors, publishers, libraries associations and collective management organisations. The stakeholders, with the support of the Commission, have established the “European Network of Trusted Intermediaries” (ETIN) and have agreed a

		model licence/agreement for the cross-border transmission of accessible copies of works, as a basis for arrangements at national level.
– Based on a review of options, make proposals by 2011 that will make sure that public sector websites (and websites providing basic services to the public) are fully accessible by 2015;	Completed	The European Commission proposed at the end of 2012 a legislative proposal to make some important government websites accessible. This proposal for a 'Directive on the accessibility of public sector bodies' websites introduces mandatory EU web accessibility requirements. Mandatory web accessibility shall apply to essential government online services like social security and health related services, job searches, university applications and issuing of personal documents and certificates. A European standard will be used to demonstrate conformity with the requirements. The Directive was published on 2 December 2016 (entry into force on 22 December 2016), in agreement by EP, the Council and EC after a series of trilogue meetings. The scope of the Directive was extended to include apps of relevant websites.
– Develop accessibility standards to ICT for their use in public procurement in the context of Mandate 376	Ongoing	The EN was adopted early 2014 achieving significant harmonisation with the US standards. Work is ongoing to revise some critical issues to better address users concerns.

<i>Support research on new technologies addressing assistive technology and accessible mainstream solutions</i>		
– Mainstream accessibility following Design for all in relevant mainstream standards through a standardisation Mandate	Ongoing	The Mandate 473 was accepted by the ESOs and the contract signed. After an initial work preparing the Standard, the ESOs informed about their intention not to deliver a standard but a technical report. The issue is under consideration.
– Support the inclusion of accessibility and design for all in general curricula for architects and engineers to prevent barriers when exercising their professions	Ongoing	Work is underway, taking into account institutional context (i.e. subsidiarity).
– Study the Assistive technology market with a view to improve its functioning	Completed	CNECT has published various studies related to this such as <u>SMART 2008/0067</u> .
– Raise awareness on accessibility through the establishment of an European award of accessible cities	Completed	The Access City Award was launched in 2010; the award is currently in its seventh edition. More than 250 EU cities have participated since then. As every year, the winner, the 2 nd , 3 rd prize and the special mentions are announced on the occasion of the European Day of Persons with Disabilities. The outcome of the conference on best practices by EU cities "Access City Award 2016: Examples of best practice for making EU cities more accessible" has been produced and published by the European Commission: http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=2237

<p>– Exploit international dialogues in particular ongoing EU-US dialogue on accessibility standards to bring coherence to the markets and build economies of scale</p>	<p>Ongoing</p>	<p>Various meetings took place in order to exchange information and improve coherence of the ongoing accessibility standardisation processes.</p> <p>The colleagues from TRADE have demonstrated interest on the matter in view of the forthcoming EU-US Trade Agreement and harmonisation is well considered under the standardisation work.</p>
<p>– Follow-up to a planned Green paper on modernisation of EU public procurement rules and explore the possibility of fostering the use of public procurement to improve accessibility by developing obligations for public authorities using accessibility standards</p>	<p>Completed</p>	<p>The revised Public Procurement Directive has been adopted and entered into force in April 2016. It makes the use of accessibility in the technical specification of tenders compulsory.</p>
<p>– Explore possible measures to improve the accessibility of goods and services in Europe using internal market instruments</p>	<p>Completed</p>	<p>The Commission continues to foster the accessibility standardisation work and is considering the possibilities offered by the Internal Market through the recent adoption of the European Accessibility Act.</p>
<p>– Consider relevant disability issues, where possible, within the context of the follow-up to the Commission Report "Towards more efficient and fairer retail services in the Internal Market for 2010" and within the context of the e-commerce activities</p>	<p>Ongoing</p>	<p>Ongoing on line discussions during the Single Market week addressed accessibility matters.</p>
<p>– Improve application of Article 16 of the Structural funds general regulation to progress on accessibility</p>	<p>Completed</p>	<p>The new Regulations of the European Structural and Investment Funds (ESIF) enhance the references to accessibility.</p> <p>Disability and accessibility were also included in the ex-ante conditionalities that had to be fulfilled until the end</p>

		of 2016. The following ex-ante conditionalities are relevant: general one, B.3 Disability, and thematic ones, A.2-1 Digital growth, A.7-1 Transport, A.9-3 Health.
– Take into consideration, in projects run by the EU Joint Research Centre, technical aspects related to usability by all, including people with disabilities	Ongoing	JRC work addressing subtitles in broadcasting is being promoted.
– Support independent living of persons with disabilities and older persons under the innovation partnership "Active and healthy ageing" of the Innovation Union flagship initiative.	Ongoing	Enlarging the EIP on AHA community, by launching a new call for commitments -which resulted in over 850 commitments from 28 Member States (and beyond) - and reference sites – with a total of 78 Reference Site applications-. New commitments in 2016 cover topics such as: smart environments and cities through the design and development of accessible and inclusive ICT solutions for seniors; age-friendly ICT for social inclusion; accessibility and usability of technology; mobility and accessibility in cities. Moreover, a roadshow on Smart and Age-Friendly Housing has been launched aiming to involve key stakeholders in an ongoing and sustainable dialogue about a European Reference Framework for Age-friendly Housing. It takes a cross-disciplinary approach to innovating smart new build and retro-fit home environments for Europe's ageing population.

2. PARTICIPATION

Specific objective		
Ensure equal opportunities for persons with disabilities and their families to fully participate in all aspects of social and economic life, namely:		
<ul style="list-style-type: none"> – to exercise all their Union citizenship rights, in particular the right to free movement and residence – to be able to choose where and how they live – to have full access to cultural, recreational, leisure and sports activities 		
Key actions	When	
<i>Address the obstacles that persons with disabilities face in exercising their rights as individuals, consumers, students and professionals, and political actors</i>		
– Study the implications of a mutual recognition of disability cards and related entitlements	Completed	ANED published a report on the situation in the Member States in 2010. EDF published 2 reports in 2011 and 2012. Mutual recognition of disability cards and entitlements is being discussed in the Disability High Level Group that created the special Project Working Group (17 countries so far). Some Member States expressed interest to introduce the EU Disability Card and the system of associated benefits in their countries. The call for project proposals was launched in July 2015 and the system of mutual recognition should be operational in 2017 in 8 countries: BE, CY, EE, FI, IT, MT, SI, RO.

<p>– Support Member States' efforts to ensure that women and men with disabilities can fully exercise their electoral rights by developing and disseminating standards on accessible election facilities and campaign material</p>	<p>Ongoing</p>	<p>FRA in close cooperation with the European Commission and the Academic Network of European Disability Experts (ANED), funded by the Commission, developed 28 human rights indicators to assess the political participation of persons with disabilities in the EU.</p>
<p>– Raise awareness among MS of the need to improve accessibility of courts and police buildings</p>	<p>Ongoing</p>	<p>The adoption of the procedural Directives has raised the issue of accessibility.</p>
<p>– Promote the dissemination of good practices regarding training of public officials on receiving and informing persons with disabilities</p>	<p>Ongoing</p>	<p>Awareness is being raised among legal practitioners via the training provided by the European Academy of Law (ERA) which is financially supported by the European Commission.</p>
<p>– Raise awareness among MS on the need for proper assistance regarding access to legal documents and procedures</p>	<p>Ongoing</p>	<p>Reference to the needs of persons with disabilities is included in the Commission proposal for a Directive establishing minimum standards on the rights, support and protection of victims of crime. Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings refers to "<i>appropriate assistance for persons with hearing or speech impediments</i>".</p>
<p>– Explore ways of facilitating the use of sign language in dealing with the EU institutions</p>	<p>Ongoing</p>	<p>In the Plenary session of 10-13 December 2012, the European Parliament approved funding for a Pilot Project on the development of a Real-Time Sign Language Application and Service. The overall objective of the project was to improve independent communication and interaction opportunities for deaf</p>

		and hard of hearing citizens with the EU institutions, such as the European Parliament or the European Commission and vice versa with deaf or hard of hearing persons inside the EU institutions. The project was carried out during 2014-2015. http://www.eud.eu/projects/past-projects/insign-project/
– Monitor the proper implementation of article 82(2) of the TFEU (rights of individuals in criminal procedure) relative to interpretation and translation in criminal proceedings on the specific issue of interpretation in sign language	Ongoing	Art. 2(3) of Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings which was adopted on 20 October 2010 foresees " <i>appropriate assistance for persons with hearing and speech impediments</i> ". The directive had to be implemented by 27.10.2013 and several Member States have introduced an explicit reference to the service of a sign language interpreter into national legislation.
– Ensure inclusion of concerns of persons with disabilities in initiatives aimed to address consumer rights in Europe, in particular with regard to access to services of general economic interest	Ongoing	A new Directive on Alternative Dispute Resolution (ADR) and a new Regulation on Online Dispute Resolution (ODR) adopted in 2013 include references to accessibility in relation to access to information.
– Highlight the scope that Member States have to define services of general economic interest to the benefit of disabled people and that services for the care and social inclusion of disabled people enjoy light compatibility criteria under State aid law and are exempted from prior notification to the Commission.	Ongoing	Regular advocacy on compatibility, under the 2009 Communication from the Commission - <i>Criteria for the analysis of the compatibility of state aid for the employment of disadvantaged and disabled workers subject to individual notification</i> - and on services for the care and social inclusion of disabled people, under the SGEI state aid package.

<i>Address problems related to intra-EU mobility</i>		
<p>– Promote dialogue among Member States in the Disability High Level Group on the portability of rights such as the right to personal assistance</p>	Ongoing	<p>The Disability High Level Group (gathering experts from Member States' ministries and civil society) discusses relevant issues put on the agenda by the Commission or individual Member States. The EU-level NGO ENIL that is supported by the Commission continues in its work on portability of personal assistance.</p>
<p>– Encourage the participation of the EU Member States to the 2000 Hague Convention on the International Protection of Adults and evaluate its application, foreseen in the Stockholm Action Plan, with the view to assess the need for additional proposals as regards vulnerable adults.</p>	Ongoing	<p>The Fundamental Rights Agency (FRA) reports on the fundamental rights of persons with intellectual disabilities and persons with mental health problems⁹⁶. There is no EU legislation concerning the use of power of attorney in general. Concerning the protection of vulnerable adults, the Commission, since 2008, has called for ratification by Member States of the 2000 Hague Convention on the International Protection of Adults, which provides for the safeguarding in cross-border situations of adults who are not in a position to defend their interests because of impairment or insufficiency of their personal faculties⁹⁷.</p> <p>The European Commission adopted on 27 November</p>

⁹⁶ Legal capacity of persons with intellectual disabilities and persons with mental health problems <http://fra.europa.eu/en/publication/2013/legal-capacity-persons-intellectual-disabilities-and-persons-mental-health-problems>

⁹⁷ <https://www.hcch.net/en/instruments/conventions/full-text/?cid=71>

		2013 a Recommendation on procedural safeguards for vulnerable persons suspected or accused in criminal proceedings. Within 36 months after notification, Member States should inform the Commission on the measures taken to give effect to the Recommendation.
– Identify obstacles encountered by persons with disabilities in the exercise of their rights as EU citizens, in particular regarding the right to free movement and residence	Ongoing	The EU citizenship report addresses disability issues in relation to free movement. The 2013 report included a measure on the EU Disability Card that should facilitate free movement of persons with disabilities in areas of culture, leisure, sports, transport by means of mutual recognition of rights and benefits based on the Card.
<i>Enhance the use of the European model of disability parking card</i>		
– Raise awareness of the European model of disability parking card and combat its abuse by producing and disseminating information material for national and local authorities	Ongoing	The item is often under discussion in the Disability High Level Group, gathering experts from Member States' ministries. Information about the parking card can be found on the website Your Europe: http://europa.eu/youreurope/citizens/vehicles/driving-licence/parking-card-disabilities-people/index_en.htm
– Explore opportunities of new technological solutions, for example by funding pilot projects on the development of electronic parking cards and control systems	Ongoing	The Commission has discussed the matter in the Disability High level Group and some Member States indicated their interest to explore a possible pilot project in the context of the Competitive and Innovation Programme (CIP). CIP SIMON Project is ongoing: it is exploring technological solutions to address the reduction of fraud in the pre-ICT implementation of the

		European Disabled Badge for public parking areas; and it is developing proposals of specific multimodal navigation solutions for elderly and people with disabilities.
<i>Enhance Member States' efforts towards the transition from institutional to community-based care</i>		
– Develop and disseminate a quality framework for community-based services that is inclusive of person with disabilities building on the quality framework for Social services of general interest	Ongoing	The voluntary European Quality Framework for Social Services was adopted by the SPC in 2010. Common European Guidelines on the Transition from Institutional to Community-based Care were adopted in 2012 together with a Toolkit on the Use of European Union Funds for the Transition from Institutional to Community-based Care.
– Promote the exchange of good practices among Member States in the Disability High Level Group on personal assistance funding schemes	Ongoing	The item is under discussion in the Disability High Level Group, gathering experts from Member States' ministries. The process started in October 2011, when the discussion kicked off with the mapping of the schemes. The EU-level NGO ENIL that is supported by the Commission continues in its work on portability of personal assistance.
<i>Optimise the use of Structural Funds and the Rural Development Fund to support the development of community-based services</i>		

<p>– Identify good practice of the use of Structural Funds and the Rural Development Fund in relation with the principle of independent and community living</p>	<p>Completed</p>	<p>The principle of independent and community living constitutes and will continue to be the cornerstone of the de-institutionalisation process within the OPs of the MS.</p> <p>Good practices have been identified and promoted under EAFRD by the activity of the European Network for Rural Development:</p> <ul style="list-style-type: none"> - Rural Review on Employment and Social Inclusion (2010), in which more articles are dealing with the question of disability- independent living (https://enrd.ec.europa.eu/sites/enrd/files/fms/pdf/09AED062-D99D-0744-062C-2B6F6E4785FB.pdf). - RDP Projects database is available, by which projects can be searched by keywords (such as disability) (http://enrd.ec.europa.eu/projects-practice_en). <p>Databases with examples of good practice (projects) are online for both ERDF and ESF.</p> <p>http://ec.europa.eu/regional_policy/en/projects/ http://ec.europa.eu/esf/main.jsp?catId=46&langId=en</p>
<p>– Develop a training module for European Commission geographical Desk officers (and national administrations) dealing with Structural Funds and the Rural Development Fund on the UNCRPD and common basic principles on deinstitutionalisation</p>	<p>Completed</p>	<p>Relying on the expertise of the European Expert Group on the Transition from Institutional to Community-based Care, DG EMPL has organised trainings for Structural Funds desk officers on how the funds can contribute to community-based care services. During these training sessions a Toolkit on the Use of European</p>

		<p>Union Funds for the Transition from Institutional to Community Based Care', prepared by the EEG and the Commission, has been presented and discussed. DGs EMPL and REGIO have worked together with the EEG in the organisation of seminars in member states.</p> <p>Regular trainings are organised by DGs EMPL and REGIO in cooperation with the EEG in which both the geographical desks and the policy units are invited to attend</p>
– Develop a toolkit for managing authorities on how to use Structural Funds and the Rural Development Fund to support the development of community-based services	Completed	A toolkit on Structural Funds support to community-based care was prepared by the EEG with the involvement of the Structural Funds DGs.
– Report on Member States' compliance with article 16 of Structural funds general regulation	Ongoing	This action is now overtaken and strengthened by the new obligations in the ESIF Regulation.
<i>Improve the knowledge base on the situation of people with disabilities living in residential institutions</i>		
– Collect data on the number, size and life conditions of residential institutions	Ongoing	Data on the number of beds in residential long-term care facilities are regularly disseminated by Eurostat. The definition of nursing and residential care facilities follows the International Classification for Health Accounts - Providers of health care (ICHA-HP) of the System of Health Accounts (SHA). Residential long-term care facilities (HP.2) comprise establishments

		<p>primarily engaged in providing residential long-term care that combines nursing, supervisory or other types of care as required by the residents. In these establishments, a significant part of the production process and the care provided is a mix of health and social services, with the health services being largely at the level of nursing care, in combination with personal care services. The medical components of care are, however, much less intensive than those provided in hospitals.</p> <p>FRA implements a project on "measuring the right to independent living" which is developing and populating indicators on Article 19 on independent living of the UN Convention.</p>
<p>– Study on existing legal and administrative rules which directly or indirectly promote institutionalisation with recommendations on how to remove them</p>	<p>Ongoing</p>	<p>In 2012 Mental Health Europe, which is supported by the Commission, published a report on Mapping Exclusion-Institutional and community-based services in the mental health field in Europe. In 2017 it intends to update this report, including the addition of more elements in terms of comparison of mental health legislation in different countries, beginning by a survey among the membership and analysing already existing pieces of work by FRA, WHO, MDAC etc. A specific focus would be put on numbers of and reasons for involuntary admissions, seclusion and constraint (medical and physical) with a cross-border perspective</p>

		<p>analysing the situation for EU citizens who become ill in another country.</p> <p>Building on the findings of the <i>Choice and control: the right to independent living</i> report published in 2012, FRA in 2014 developed <u>human rights indicators on Article 19 of the CRPD</u> in close collaboration with stakeholders. In 2015, data to apply these indicators was collected in all EU Member States, and will be published in the course of 2017. In addition, FRA began in 2016 to conduct fieldwork research in five EU Member States (BG, FI, IE, IT, SK) to identify drivers and barriers to the deinstitutionalisation process. This research will continue throughout 2017, with results available in 2018.</p>
<i>Promote the participation of people with disabilities in sports</i>		
– Develop and disseminate standards for accessibility of sports, leisure, and recreation organisations, activities, events and venues	Ongoing	Projects supported by the Erasmus+ programme (Sport chapter) contribute to disseminate and exchange good practices on accessibility standards.
– Promote the participation of people with disabilities in European sport events as well as the organisation of disability-specific events	Ongoing	The Erasmus+ programme (Sport chapter) offers financial support also to disability-specific events, in this way promoting the participation of people with disabilities in sport.

<p>– Include a priority on Social inclusion through and in sport, with a particular regard to persons with disabilities, in the future Commission policy and incentive measures in the field of sport</p>	<p>Completed</p>	<p>Social inclusion is one of the priorities of the Sport chapter of the Erasmus+ programme: since 2014, financial support is therefore regularly available for sport projects supporting equal opportunities and equal access to sport for people with a disability.</p>
<p><i>Promote the access of people with disabilities to cultural materials and events</i></p>		
<p>– Foster the cross-border transfer of copyright works in accessible format</p>	<p>Ongoing</p>	<p>The Commission, with a mandate from the Council, negotiated the Marrakesh Treaty to Facilitate Access to Published Works for Persons who Are Blind, Visually Impaired or Otherwise Print Disabled at the World Intellectual Property Organization (WIPO) on behalf of the EU. The treaty was adopted in June 2013 and signed by the EU on 30 April 2014. The ratification of the treaty is still in process.</p> <p>The Commission has adopted on 14 September 2016 proposals for the implementation of the treaty obligations into EU law. These include, in particular, a proposal for a Directive on the making, under an exception to copyright, of copies of books and other print material in formats that are accessible to people with print disabilities and on their circulation in the single market, and a proposal for a Regulation to facilitate the cross-border exchange of such accessible format copies between the EU and third countries that</p>

		<p>are parties to the treaty.</p> <p>Moreover, the Commission supported the exchange of books in accessible format between the EU Member States in the context of the ETIN project (see above, under " Promote dialogue between users and industry leading to voluntary agreements in the areas of: copyright: EU Memorandum of Understanding on access to works by people with print disabilities").</p>
<p>– Ensure accessibility of the interface and contents of Europeana – the European public digital library – for persons with disabilities</p>	<p>Completed</p>	<p>Europeana.eu features and content have been designed to be universally accessible by users and user agents/devices. It aims to meet the W3C Web Content Accessibility Guidelines Version 1.0 (since 2008 Version 2.0). The User Centred Design team frequently conducts usability testing of Europeana.eu navigation, flow, labels, and consistency. Furthermore, they plan to produce a version – post this prototype phase – for blind individuals.</p> <p>Some of the accessibility features of the site include:</p> <ul style="list-style-type: none"> •Meaningful page titles to help with orientation •Almost all images have either a meaningful alt-text (text equivalent) •Minimal use of frames •Use of resizable fonts •Use Cascading Style Sheets (CSS) to separate content from presentation •Notifying a user when a link opens a new window

		•The (core) functionalities are usable without JavaScript.
– Ensure that accessibility criteria are taken into account in the context of the "European Capitals of Culture" award	Completed	Accessibility is taken into account in awarding "European Capitals of Culture".

3. EQUALITY

Specific objective		
Promote and protect the inherent dignity of persons with disabilities, combat all forms of discrimination on the basis of disability, and ensure that persons with disabilities enjoy, on an equal basis with others, all fundamental rights and freedoms.		
Key actions	When	
– Support the negotiation in Council of the draft Directive on equal treatment beyond the field of employment	Ongoing	The Commission has been supporting the work of the successive Council presidencies to fine-tune the text of the Directive.
– Monitoring the application and impact of Directive 2000/78 EC for improving employment of persons with disabilities	Ongoing	The Commission published in January 2014 a report on the implementation of directives 2000/43 on race equality and 2000/78 on equality in employment.
– Promote the attention to disability matters in equality bodies notably through Equinet	Ongoing	In their 2013 work programme, Equinet included a case study on effective approaches by equality bodies in supporting good practice by employers and service providers in providing reasonable accommodation to people with disabilities.

– Provide guidance on reasonable accommodation for people with disabilities addressing employers and service providers	Ongoing	A study was published in 2013 on supported employment that contains references to good practices on reasonable accommodation.
– Promote exchange of good practices on legal capacity	Ongoing	Training provided by the Academy of European Law has regularly addressed issues related to legal capacity under the UNCRPD. In addition, a project supported by DG JUST addressed this issue.
– Raise awareness among trade unions on the concept of reasonable accommodation	Ongoing	Some punctual meetings and discussions in conferences have taken place, in particular in the context of the work related to Directive 2000/78.
– Use of existing Progress programme (until December 2013) to support national activities aiming at combating discrimination and promoting equality.	Completed	The programme was used to support anti-discrimination and equality.
– Address disability issues in awareness raising seminars in the areas of non-discrimination and equality targeted at representatives of member states and civil society organisations	Ongoing	Disability, including accessibility, was one of the key topics at the Equality summit, where high level representatives from member states and civil society met. The Commission also supports the AGE Platform Europe who works on accessibility issues.
– Address disability discrimination in annual calls for proposals aiming at supporting national authorities in their fight against discrimination and promotion of equality	Ongoing	Disability is one of the discrimination grounds that have been addressed by the beneficiaries in projects implemented between 2010 and 2013 under the Progress Programme.
– Introduce a disability specific focus in the "What can Social Europe do for you" campaign	Completed	This campaign started in 2008 and phased out in 2010. The campaign was focused around 9 topics agreed by DG EMPL: social exclusion and poverty, mobility,

		working conditions, equality between women and men, diversity, social inclusion, better work/life balance, equal opportunities for all ages and more and better jobs. Disability was included under the "diversity" topic.
– Address disability discrimination in the "For Diversity Against Discrimination campaign", e.g. through Diversity days, Journalist award, leaflet, video spot, stand at conferences	Completed	The pan-European advertising campaign in 2012 was made of posters focusing on the 5 grounds of discrimination, including disability. The Journalist Award always includes disability as one of the ground of discrimination to be addressed by the articles submitted.

4. EMPLOYMENT

Specific objective		
Improve the employment situation of women and men with disabilities through recognition of their right to work including the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible.		
Key actions	When	
<i>Increase knowledge on employment situation of people with disabilities, identify challenges, propose remedies</i>		
– Use of 2011 LFS ad hoc module on employment of people with disabilities to produce info materials on the labour market situation of people with disabilities in Europe	Completed	A set of variables is added to the Labour Force Survey on an annual but rotating basis. In 2011 these variables focused on the employment of disabled people. Data is already disseminated by Eurostat

		(http://ec.europa.eu/eurostat/data/database). Eurostat also published statistical articles available through the online publication on disability statistics in Statistics Explained. The data was used extensively by the Commission, Member States, experts, etc. A module on this topic will not be repeated in future in LFS. Instead, it is proposed to have every 2 years in LFS a variable on the limitation in usual activities (similar to the one in EU-SILC) that will allow having information on the labour market participation of people with disabilities.
– Enhance cooperation with relevant third organisations (e.g. ILO, OECD, EUROFOUND)	Ongoing	This has been achieved through regular participation in relevant conferences and bilateral meetings
– Explore possibility of stronger focus on women and men with disabilities in Commission employment relevant publications	Ongoing	Disability perspective is being included in the European Semester policy documents and other publications published by the DG EMPL.
<i>Optimize the use of the new strategy for jobs and growth, "Europe 2020" for the benefit of people with disabilities</i>		
– Ensure that the annual Europe 2020 assessment gives due consideration to the situation of people with disabilities	Ongoing	The Commission has supported ANED in the publication (annual data from EU-SILC, country reports, thematic and summary reports) of the gap between persons with disabilities and those without disabilities concerning the headline targets related to education, employment and poverty risk. The Commission has issued country-specific recommendations with a view to

		improving the participation of those furthest from the labour market, including people with disabilities, in the framework of the European Semester. A disability perspective has been included into most Country Reports published by the Commission as part of the European Semester process.
– Preparation of a disability specific indicator in the EMCO indicator sub-group	Ongoing	The indicator "Labour market gaps for disadvantaged groups - Gaps on the labour market, such as difference between the employment, unemployment and activity rates for a non-disadvantaged group in percentage points and the corresponding rates for the disadvantaged group" is included in the JAF list but no data is available at the moment. The possibility of integrating to the JAF the policy area of integration of people with disabilities into the labour market is included in the EMCO IG Work Programme as an outstanding specific methodological issue, within the framework of the refinement and further development of the JAF. However, work in this area has not been started yet.
– Make use of the ESF, in accordance with Guideline 7, to promote labour market integration of people with disabilities and other vulnerable groups.	Ongoing	Reinforcing the social inclusion of disadvantaged people with a view to their sustainable integration in employment and combating all forms of discrimination, including pathways to integration has been a priority of ESF programmes. During the 2007-2013 programming period, the ESF played an important role in enhancing and modernising labour market policy delivery

		mechanisms for disadvantaged groups. 6.1 million participations were reported, of which 16% were identified as persons with disabilities.
<i>Focus on what people can do and persuade potential employers with convincing arguments and support to employ people with disabilities</i>		
<ul style="list-style-type: none"> – Involve Social Partners at EU level, with full involvement of SME representatives, to: <ul style="list-style-type: none"> – Develop models of good practice on reasonable accommodation and good quality jobs – Provide employers and policy makers with information on positive measures 	Ongoing	<p>The Commission published in 2013 a report on supported employment containing country fiche, recommendations. In 2015 the European Parliament published a report on reasonable accommodation and sheltered workshops (cost and returns) containing the EU overview of situation, country case studies and examples of good practice.</p> <p>In-Depth Employment Analysis was published in July 2015 by social partners.</p> <p>https://www.etuc.org/sites/www.etuc.org/files/press-release/files/joint_idea_report_july_2015_final.pdf</p>
<ul style="list-style-type: none"> – When reviewing relevant European employment legislation ensure its compliance with the UNCRPD (working conditions and protection, working time, safety etc.) 	Ongoing	<p>The review of the Working Time Directive 2003/88, for which currently a detailed impact assessment is being undertaken, does not have a disability specific focus. However, Directive 2003/88 does refer to the general principle of adapting work to the worker, which could be of relevance for workers with disabilities. Furthermore, one of the issues that will be considered by the review is the issue of flexibility of working time to suit the needs</p>

		<p>of workers, and how this could facilitate different groups of workers to enter, and remain in employment.</p> <p>The Commission published in 2012 the tender VT/2012/056 entitled – Evaluation of the EU Occupational Safety and health Directives with a view to assess the relevance, effectiveness and coherence and possible improvements of the EU OSH regulatory framework. This evaluation was done within the framework of the PROGRESS programme. The results will help establish the relevance, effectiveness and coherence and possible improvements of the existing EU OSH legislation taking into account different groups of workers including disabled persons, beyond the existing requirements in this legislation.</p>
<p>– Encourage employers to commit to Diversity policies in the workplace, in particular through the signing of Diversity Charters</p>	<p>Ongoing</p>	<p>The EC supports regular exchanges between national Diversity Charters from 12 countries and dedicated events where disability issues are tackled.</p> <p>In 2015 the European Multiple Sclerosis Platform (NGO) developed in the project supported by the Commission an Employment Pact meaning a commitment of employers who sign it to create healthy workplaces for all.</p>

<p>– Highlight the scope for action that Member States enjoy in the area of promoting employment and recruitment of persons with disabilities through the General Block Exemption Regulation</p>	<p>Ongoing</p>	<p>There is regular advocacy on the State aid possibilities for disabled people under the GBER.</p>
<p>– Encourage social entrepreneurship with concrete actions to be rolled out in a "Social Business Initiative" to support and accompany the development of socially innovative corporate projects within the single market</p>	<p>Completed</p>	<p>SBI (Social Business Initiative) was launched on 25 October 2011. The SBI is a European roadmap for the development of social enterprises.</p> <p>The European Commission, together with the European Economic and Social Committee, organised a major European interactive event in Strasbourg on 16-17 January 2014 in order to take stock of what was achieved since the launching and discuss the way forward for the next 4-5 years. Many of the participants were representatives of entities (enterprises, associations, foundations, mutual societies, inter alia) that take care of or provide goods and services to disabled persons.</p> <p>During the event, the 1st European Award for Social Entrepreneurship and Disability (SE+D– cf. www.csr-d.eu) was awarded (creation of the ONCE foundation (ES)).</p>
<p><i>Give special attention to difficulties of young people with disabilities in transition from education to employment and address intra job mobility including those working in sheltered workshops (access to and retention in employment)</i></p>		

<ul style="list-style-type: none"> – Involvement of Public Employment Services (PES) at EU level <ul style="list-style-type: none"> – E.g. by accessibility of actions and material, dialogue with temp and special agencies – Specific disability oriented seminar in the PES Peer review 	Ongoing	<p>In line with the priorities of the Dutch Presidency 2016 an analytical paper has been commissioned as part of the PES Network 2016 work programme to explore the latest PES activities in regards to the labour market integration of people with disabilities. This analytical paper complements the earlier study "PES approaches for sustainable activation of people with disabilities" that was undertaken as part of the PES to PES dialogue programme in 2013. This paper presented the state of play on PES approaches for people with disabilities (including literature review, statistics, PES interviews and practices). This subject also featured in a work shop and a panel discussion arranged at the June 2016 board meeting of the European Network of Public Employment services.</p>
<ul style="list-style-type: none"> – Identify and promote effective support structures <ul style="list-style-type: none"> – Screening of national/Regional measures (e.g. quotas, social partnerships, cooperatives, supported employment, transport) – Analysis of the employment effects of informal and family care, with particular attention to gender issues 	Ongoing	<p>The Commission is closely monitoring the employment effects of informal and family care within the European Semester, and the 2016 Country Reports pay strong attention to this issue and its impact on gender employment and poverty gaps.</p> <p>Moreover, upon the request of the Commission, the European Social Policy Expert Network has prepared thematic reports on work-life balance for people with elderly and disabled relatives, which have been published in 2016.</p> <p>Finally, the Social Protection Committee has been</p>

		<p>examining work-life balance, including for people with disabled relatives. An in-depth thematic review on the topic, produced by the experts of the European Social Policy Network, was published in October 2016.</p> <p>In 2015 the European Parliament published a report on reasonable accommodation and sheltered workshops (cost and returns) containing the EU overview of situation, country case studies and examples of good practice. In 2015 the Commission published the 7th High Level Group on Disability Report that contains a thematic chapter on disability perspective in the European semester including employment measures for persons with disabilities. Subsequently, in September 2016, the Commission published the 8th report of the Group that comprehends a detailed thematic chapter on participation of persons with disabilities in employment, including information provided by the EU Member States and the civil society.</p>
<p><i>Address the issue of quality of jobs, such as salaries, working hours and career advancement of people with disabilities</i></p>		
<p>– Promote labour market relevant training to people with disabilities through calls for proposals in the Lifelong Learning Programme</p>	<p>Ongoing</p>	<p>Projects with disability components have been funded through the Lifelong Learning programme (until 2013) and through the Erasmus+ programme since 2014. With the ERASMUS+ programme social inclusion issues, including disability, are further promoted. Special attention is paid to the participation of students and staff</p>

		with disabilities in the partner countries of the EU in Erasmus+ mobility actions.
<p>– Foster possibilities for self-employment opportunities for people with disabilities in context of European Instruments (e.g. Microfinance Facility, European Social Fund). The successor programme under EaSI should open more possibilities as it will extend its focus from microfinance to financing social enterprise finance as well.</p>	Ongoing	<p>Self-employment, one of the investment priorities of the ESF, is an area for specific actions that are required to target people with disabilities in order to increase their labour market participation.</p> <p>Out of 14,144 natural persons benefitting from loans under the Progress Microfinance Facility we get the following figures for disabled:</p> <p>Aggregate Disabled 0.1%</p> <p>A total of 0.1% of micro-borrowers across the Facility has reported themselves as disabled (in absolute numbers: 12 disabled).</p> <p>With respect to Final Beneficiaries that were existing micro-enterprises at the time they received microloans under the Facility employing a total of 28,788.9 employees, 138 individuals have been characterised as disabled.</p> <p>The data continues to suggest that positive impact on the disabled may be chiefly in the area of jobs generated or sustained through loans offered to micro-entrepreneurs belonging to non-disadvantaged groups but which employ minorities or disabled persons, albeit on a</p>

		limited scale.
<i>Fight prevailing disability benefit cultures and help to integrate persons with partial work capacity into the labour market, further develop active labour market policies and tackle benefit traps</i>		
– Examine national Active Labour Markets Policies ALMPS and publish compendium of good practice	Completed	A study commissioned to COWI in 2011 examined the situation of "Supported Employment for people with disabilities in the EU and EFTA-EEA – good practices and recommendations in support of a flexicurity approach".

5. EDUCATION AND TRAINING

Specific objective		
Ensure that people with disabilities receive the support required, within the general education system, to facilitate their education, and that effective individualized support measures are provided in environments that maximize academic and social development, consistent with the goal of full inclusion.		
Key actions	When	
<i>Increase knowledge on education levels and opportunities of people with disabilities</i>		

<p>– Promote peer reviews on various aspects of disability/special needs/inclusive education with support from the Network of Experts on the Social Sciences of Education and Training (NESSE and NESET) or other experts</p>	<p>Ongoing</p>	<p>In 2012 DG EAC published an independent report entitled <i><u>Education and Disability/Special Needs – policies and practices in education, training and employment for students with disabilities and special educational needs in the EU</u></i>. This research review by the NESSE network of experts was specifically addressed at policy makers.</p>
<p>– Support the work of the European Agency for Special Needs and Inclusive Education (EASNIE)⁹⁸ to facilitate the collection, processing and transfer of European level and country specific information on education of people with disabilities</p>	<p>Ongoing</p>	<p>The Commission works closely with, and supports financially, the European Agency for Special Needs and Inclusive Education (with an annual grant of approx. 1 M€ under the Erasmus+ programme). EASNIE works closely with education ministries and supports policy change with analysis, evidence and information about the reality of inclusive education across Europe, recommendations for policy and practice and tools to monitor progress. EASNIE is notably leading a trans-national project on financing policies for inclusive education systems funded by Erasmus+ (https://www.european-agency.org/agency-projects/fpies).</p> <p>EASNIE has participated with some of its projects in the conference (organised by DG EAC) "A Great Start in Life!" on 30 Nov.–1 Dec. 2016 in Brussels, which has gathered researchers, policy makers and practitioners to</p>

⁹⁸ Name changed in 2015.

		discuss the conditions for quality and inclusive early childhood education and care and primary education.
– Collect data on access and participation of persons with high dependency needs in the education system	Ongoing	<p>The European Agency for Special Needs and Inclusive Education (EASNIE) collects some data on the participation of learners with special needs in (public) education around the EU. Every two years, all Agency member countries collect key quantitative data about the numbers and placements of pupils recognised as having SEN, as well as accompanying qualitative information to put the statistics into context.</p> <p>The 2014 and 2015 editions of the Education and Training Monitor (issued annually by DG EAC) provide comparison of average early school leaving rates and of tertiary education attainment rates in the EU by disability status. Data from the EU Labour Force Survey (LFS) in 2011 enable a comparison of average early school leaving rates as well as a breakdown of the tertiary education attainment rate by disability status.</p>
– Improve digital skills and competences of persons with disabilities	Ongoing	The European Agency for Special Needs and Inclusive Education's 2-year-project on "ICT for Inclusion" was completed in early 2014. Information about the project and its outcomes is available at: http://www.european-

		<p>agency.org/agency-projects/ict4i. Also, the EASNIE project "ICT for Information Accessibility in Learning" ran between January 2013 and December 2015. In 2014-2020, people with disabilities can also increase their digital skills and competences through Erasmus+ projects. Some Erasmus+ calls include opportunities for work on issues of digital skills and competences. As disability is mainstreamed in Erasmus+, these calls can enable not only the participation of individuals with disabilities in projects but also to submit proposals for policy or practice-oriented thematic work that is related to the improvement of the digital skills and competences of people with disabilities. One example is the 2016 call on "Social inclusion through education, training and youth" under Key Action 3 of the programme.</p>
<p><i>Support policy developments towards the goal of inclusive and quality education and training within the framework of the Youth on the move initiative</i></p>		
<p>– Promote the exchange of good practice on inclusive education and lifelong learning for students and pupils with disabilities within the strategic framework for European cooperation in education and training ET 2020</p>	<p>Ongoing</p>	<p>The ET2020 Working Group on Schools Policy (2014-2015) worked on defining a whole school approach to tackling early school leaving through collaborative approaches within and beyond school. It produced <u>Policy Messages</u> and a <u>European Toolkit for Schools</u> which gathers resources for school stakeholders to help them implement such collaborative approaches. The Toolkit proposes documents and examples of measures</p>

	<p>implemented at school, local or national levels, to improve school success for all and includes one sub-area on Targeted support – special educational needs and learning difficulties.</p> <p>Enhancing access to quality and inclusive mainstream education and training for all learners, including those with special needs/disabilities, is one of the priority areas for European cooperation agreed between the Council and the Commission in their 2015 Joint Report on the implementation of the Education and Training 2020 Strategic Framework up to 2020⁹⁹.</p> <p>In this context, issues of disability/special needs/inclusive education will be addressed within some of the six new Working Groups with national policy makers and other stakeholders – including the European Agency for Special Needs and Inclusive Education - that were set up by the Commission in 2016 following the ET 2020 Joint Report. Exchange of knowledge and good practice is by definition a main working method of these WGs.</p> <p>The annual Education and Training Monitor, issued by DG EAC with a view to promote evidence-based policy making, highlighted in 2014 and 2015 that students</p>
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⁹⁹ Adopted on 23 November 2015. See: http://europa.eu/rapid/press-release_IP-15-5568_en.htm

		<p>hampered by a disability are more likely to leave school before finishing upper secondary education and are a lot more likely to never reach or drop out early from tertiary education. The Monitor provides comparison of average early school leaving rates and of tertiary education attainment rates in the EU by disability status. The Monitor 2015 included an explicit focus on disability in its examples of measures to widen access and reduce drop-out in tertiary education (p.46).</p> <p>The independent "<i>Study on the role and potential of ICT and OER to open up access to learning and to promote inclusion and better outcomes in education</i>", commissioned by DG EAC, has been completed in June 2016. The study addresses specifically policy makers. It includes information on the effects of policies and practices in Europe involving the use of ICTs in education and /or OER to improve the education outcomes, well-being and social inclusion of disadvantaged groups including learners with a disability. The study will feed several processes in the context of the implementation of the ET2020 Strategic Framework, including the work of the six Working Groups.</p>
<p>– Raise disability matters in the context of the OMC on education, with due attention to the specific needs of women and men with disabilities</p>	<p>Ongoing</p>	<p>Social inclusion, including disability issues, is mainstreamed in the new ET 2020 Working Groups set up by the Commission in 2016 (see above).</p>

<p>– Disseminate research, information, and guidance materials on the application of the reasonable accommodation principle in education and training</p>	<p>Ongoing</p>	<p>Dissemination has been an important component of the projects funded until 2013 through the Lifelong Learning programme. Since 2014, the ERASMUS+ programme increased the focus on dissemination of projects results.</p>
<p>– Monitor recent developments regarding national and/or Europe-wide Curricula for professionals in the built environment, transport and ICT on Design for all to improve their knowledge, skills and competences on accessibility and encourage the development of a European Curriculum</p>	<p>Ongoing</p>	<p>Some work has been carried out with assistance and guidance from the European Agency for Special Needs and Inclusive Education. For example, the EASNIE project "ICT for Inclusion" project of the European Agency: http://european-agency.org/agency-projects/ict4i</p>
<p><i>Increase the mobility of people with disabilities through enhancing their participation in the Lifelong Learning and the Youth in Action programmes</i></p>		
<p>– Ensure that relevant calls for proposals under the Lifelong Learning programme include accessibility and reasonable accommodation criteria</p>	<p>Ongoing</p>	<p>The Erasmus+ programme (2014-2020) provides opportunities for individual learning mobility, with specific provisions for the participation of disabled people. The support to the access of learners from disadvantaged and vulnerable groups is <u>mainstreamed</u> in all the funding opportunities and activities available through Erasmus+. The Erasmus+ legal base (article 23) stipulates that: "<i>When implementing the Programme, inter alia as regards the selection of participants and the award of scholarships, the Commission and the Member States shall ensure that particular efforts are made to promote social inclusion and the participation of people with special needs or with fewer opportunities</i>". These</p>

		<p>provisions are reflected in all Erasmus+ Calls for proposals and the relevant documentation.</p> <p>A specific Erasmus+ higher education working group of National Agencies and experts was set up in 2014 to work on concrete guidelines and best practices so as to provide a toolkit to both National Agencies and higher education institutions to best promote and support higher education students and staff with disabilities participating in Erasmus+.</p>
<p>– Maintain the priority given to young people with fewer opportunities (including young people with disabilities) in the implementation of the Youth in Action Programme</p>	<p>Ongoing</p>	<p>Social inclusion, including disability issues, is mainstreamed in the Erasmus+ Programme. Special attention is paid to gender balance and the participation of students and staff with disabilities and from disadvantaged socio-economic backgrounds in the partner countries of the EU in Erasmus+ mobility actions.</p> <p>Erasmus+ Key Action 1 (Learning Mobility) provides opportunities for students to study or train abroad. People with disabilities are encouraged to participate in this action and can benefit from special needs support which is meant to cover additional costs directly related to participants with disabilities.</p>

	<p>Erasmus (higher education) strand of the Erasmus+ programme allowed 388 students with special needs to receive additional funding for participation during the academic year 2012-13. In 2013-2014, some 401 students and 28 staff with special needs received additional funding to participate in Erasmus. More than 800 students and staff with special needs have participated so far in the activities supported as a result of the 2014 Erasmus+ Key Action 103 call (higher education).</p> <p>Erasmus+ Key Action 2 (Cooperation for innovation and the exchange of good practices) makes it possible for organisations from different countries to work together, to develop, share and transfer best practices and innovative approaches. Strategic partnerships foster cooperation between organisations in different countries engaged in education. These projects have the possibility to develop new modes of delivery to offer new opportunities for people with disabilities – such as blended mobility (less than 2 months of physical mobility blended with virtual mobility).</p> <p>An example of a project selected in 2014 under Erasmus+ on special needs is the German-lead MOOC "Accessibility Partnership". This project aims at</p>
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	<p>implementing a sustainable strategic partnership between European universities that excel in both teaching accessible design in ICT and providing an inclusive learning environment for students with disabilities.</p> <p>Erasmus+ Key Action 3 (Support for policy reform) provides opportunities for a wide variety of actions aimed at stimulating innovative policy development, policy dialogue and implementation, and the exchange of knowledge. An Erasmus+ KA3 Call for proposals for <i>Forward-Looking Cooperation Projects</i> was launched in 2015¹⁰⁰. The Call's Priority 1 theme was aimed at "Reducing disparities in learning outcomes affecting learners from disadvantaged backgrounds". As a result of this call, three Forward Looking Cooperation Projects focusing on improving the educational situation of persons with disabilities/special needs and on improving aspects of inclusive education more broadly started in early 2016:</p> <ul style="list-style-type: none"> ○ FPIES - <i>Financing Policies for Inclusive Education Systems-Effective funding tools for reducing disparity in education</i> ○ ALdia - <i>Accessible Learning design, implementation</i>
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¹⁰⁰ <https://eacea.ec.europa.eu/sites/eacea-site/files/documents/flcp-guidelines-en.pdf>

		<p><i>and accreditation</i></p> <ul style="list-style-type: none"> ○ <i>FARM–PROfessional and personal empowerment in social FARMing</i>
– Promote lifelong learning of people with disabilities working in the police or justice systems	Ongoing	No concrete action reported to have been undertaken to date.

6. SOCIAL PROTECTION

Specific objective		
Ensure decent living conditions for people with disabilities through access to social protection systems and poverty reduction programmes, disability-related assistance, public housing programmes, and retirement and benefits programmes		
Key actions	When	
<i>Optimise the use of the European Platform against Poverty and the ESF</i>		
– Promote cooperation, peer review and good practice exchange on disability issues, with due attention to gender differences	Ongoing	<p>Social Protection Committee (SPC) multilateral surveillance reviews and mutual learning activities included social protection of and poverty reduction for persons with disabilities.</p> <p>Through the social Open Method of Coordination, the EU has been promoting exchanges of good practice between Member States in the area of social protection – including in the area of inclusion of persons with</p>

		<p>disabilities. Moreover, the Social Protection Committee has commissioned an in-depth review on work-life balance, including people with disabled relatives, that was published in October 2016.</p> <p>Regular participation of stakeholders working in the area of disability also takes place in the regular EU strategic dialogue meetings with civil society and in the Annual Convention for Inclusive Growth.</p> <p>The European Pillar of Social Rights also puts a focus on people with disability. The draft outline of the Pillar, published on 8 March and currently under public consultation, stresses that persons with disabilities shall be ensured enabling services and basic income security that allows them a decent standard of living. It also seeks to address benefit traps that could create barriers to enter employment.</p> <p>There is regular exchange of examples of good practice and discussion on actual issues in the High Level Group On Disability.</p>
<p>– Promote the design and implementation of social innovation programmes for persons with disabilities</p>	<p>Ongoing</p>	<p>The European Social Fund 2014-2020 includes social innovation as a horizontal theme which shall be promoted in all areas of the fund. This means that Member States shall mainstream social innovation in the implementation of the operational programmes, including with regards to people with disabilities</p> <p>Moreover, Operative Programmes have been recently</p>

		<p>approved with important proposals related to social innovation. Future implementation activities of the ESF will be supported through enhanced transnational cooperation networks where social innovation will be dealt horizontally under a number of common themes (Employment, inclusion, social economy, youth employment, learning and skills, migration, governance, simplification and partnerships).</p> <p>Under the PROGRESS programme calls for proposal for social policy experimentation (from 2010 onwards) several projects involving persons with disabilities where funded: LUCUS, Autism 112, Social Business in Progress, Puzzle, Turning words into actions.</p> <p>Combating discrimination based on disability is one of the general objectives of the Employment and Social Innovation Programme (EaSI -: 2014- 2020). Calls for proposals on social policy innovations have focussed on proposals for fostering social services reforms (2014) and on integrated and personalised social services delivery aiming at the integration in the labour market (2015).</p>
<p>– Reduce social exclusion by targeted support of concrete actions through the ESF under the framework of the European Platform against poverty</p>	<p>Ongoing</p>	<p>Combating discrimination is an investment priority of the ESF. Specific actions are required by Member States to promote equal opportunities. These shall also target people with disabilities.</p> <p>The Learning Networks of the ESF Managing</p>

		<p>Authorities will continue exchange of good practice and mutual learning in this area.</p> <p>The work on the platform to combat poverty is overtaken by other initiatives like the Pillar on social rights.</p>
<i>Assess the adequacy of social protection systems with respect to people with disabilities</i>		
<p>– Ensure that disability-specific issues are covered in any revisions of legislation concerning pensions and benefits portability</p>	Ongoing	<p>The Directive 2014/50/EU on enhancing worker mobility by improving the acquisition and preservation of supplementary pension rights was adopted on 16 April 2014 and has to be transposed into national law by 21 May 2018. There is no specific reference to issues related to disability, but the adoption of the directive will contribute to better supplementary pension outcomes for people who are unable to remain with the same employer until retirement.</p>
<p>– Follow up the Green Paper on pensions to take into account disability-relevant aspects, organise exchange of good practices among MS</p>	Ongoing	<p>The White Paper on pensions was adopted in February 2012 and proposed 20 actions for adequate, safe and sustainable pensions through legislation, funding and policy coordination instruments. The White Paper stresses the need to promote longer careers while ensuring solidarity with people who are unable to work longer. The impact of early labour market exit due to disability was examined in the 2015 Pension Adequacy Report, demonstrating that in most but not all Member States a worker with average earnings who has to rely on disability benefits before retirement will receive a</p>

		relatively lower pension upon reaching the pension age. Pension levels of low income earners are slightly less affected on average.
– Encourage Member States to address in the SPSI the situation of persons with disabilities and to take measures to compensate the financial impact of disabilities	Ongoing	In the framework of the Open Method of Coordination (OMC) for Social protection and social inclusion (SPSI), Member States have submitted the National Social Report in April 2012 and might have addressed issues related to disability. The issue is also highlighted in the Semester with indicators showing the gap in the risk of poverty.

7. HEALTH

Specific objective		
Ensure that people with disabilities have equal access to healthcare, including prevention, and that quality and affordable specific health services are provided		
Key actions	When	
<i>Support policy developments to improve equal access to healthcare</i>		
– Develop indicators to monitor quality and accessibility of health care services for women and men with disabilities involving the service users perspective	Completed	EU SILC data allow analysis regarding difficulties in accessing health care services for a variety of reasons – including cost and distance. In addition, EU-SILC data provide information on people reporting self-perceived long term restrictions on usual activities. Eurostat already disseminates data on the unmet needs of health care declared by people self-reporting usual activities restriction (dataset “Self-reported unmet needs for

		<p>medical examination by level of activity limitation, sex and age (hlth_dh030)"). A 6-year SILC module on access to services would allow having information about the access to health care and home care of persons with activity limitation.</p> <p>The Labour Force Survey (LFS) 2011 ad hoc module 'Employment of disabled persons' as well as the European Health and Social Integration Survey (EHSIS) conducted by Eurostat in 2012/2013 includes information on the need for assistance by persons with disabilities– though not specifically health care. Results from these surveys are available on Eurostat website. Additional information on the use of the health care services by persons with disabilities will be available in 2016/2017 from the European Health Interview Survey (EHIS) wave 2 (2014).</p> <p>Data is available at: http://ec.europa.eu/eurostat/data/database?node_code=lfso_11.</p>
<p>– Promote equal access to health care systems and raise awareness among persons with disabilities of their rights of access</p>	<p>Ongoing</p>	<p>ANED produced a report on the access to health care for person with disabilities which includes an analysis of legislation and national practices as well as statistical data when available.</p>
<p>– Raise disability awareness and specific knowledge among health professionals, considering the specific needs of female and male patients</p>	<p>Ongoing</p>	<p>The issue has been discussed in the EU expert group on rare diseases.</p>

<i>Support policy developments to improve quality of healthcare and rehabilitation for people with disabilities</i>		
– Explore the possibility of including disability information in the e-health medical records and ensure their accessibility for persons with disabilities	Completed	Autonomy/invalidity (both description and invalidity ID-code) are part of the guidelines on minimum/non-exhaustive data-set for electronic exchange in accordance with the cross-border Directive 2011/24/EU.
– Develop accessibility standards for medical equipment	Completed	The issue of accessibility of standards for medical equipment is being addressed by existing harmonised standards, and namely by EN 62366:2008, Medical devices - Application of usability engineering to medical devices.
– Support research on healthcare provision to women and men with disabilities through health work programmes in FP7 and FP8	Ongoing	Various research projects are undertaken addressing relevant issues in horizon 2020
– Exploit the potential of new telemedicine services such as online medical consultations, improved emergency, care and portable devices for persons with disabilities	Ongoing	The Commission launched within the Horizon 2020 program calls for the development of Next Generation emergency services. The two successful tenders aim to pilot the next generation emergency communication end-to-end solutions. These projects aim to research, test and validate the integration of IP-based communication technologies and interoperability within the next generation emergency services, so that they attain increased effectiveness and performance. The projects will also pilot accessibility solutions for disabled end-users through 112 Apps.

<p>– Promote modern mental health services and long term care facilities through the actions under the European Pact for Mental Health and Well-being</p>	<p>Ongoing</p>	<p>The Joint Action on Mental Health and Well-being (2013-2016), under the EU-Health Programme, published a Framework for Action on Mental Health and Wellbeing including recommendations on the Transition to community-based and social-inclusive mental health care, on Mental health in All Policies, on Promoting mental health at the workplace, at schools and on preventing depression and suicide¹⁰¹. In addition, the EU-Compass for Action on Mental Health and Well-being has been launched in 2015 as a mechanism for the exchange of reports about activities and good practices in the field of mental health among Member States and Stakeholders¹⁰². Moreover, a second Joint Action on Dementia (2016-2019) was launched under the EU-Health Programme.</p>
<p>– Promote training of health professionals on disability matters through the ESF</p>	<p>Ongoing</p>	<p>No specific action has been reported on this issue.</p>
<p><i>Promote actions in the field of health and safety at work to reduce risks of disability during working life</i></p>		

¹⁰¹ [http://www.mentalhealthandwellbeing.eu/assets/docs/publications/Framework%20for%20action_19jan%20\(1\)-20160119192639.pdf](http://www.mentalhealthandwellbeing.eu/assets/docs/publications/Framework%20for%20action_19jan%20(1)-20160119192639.pdf)

¹⁰² http://ec.europa.eu/health/mental_health/eu_compass/index_en.htm

<p>– Examine follow up of the specific action taken by Member States to improve the rehabilitation and reintegration of workers excluded from the workplace for a long period of time because of an accident at work, an occupational illness or a disability in the mid-term review of the EU Strategy on Health and Safety at Work 2007-2012</p>	<p>Completed</p>	<p>A current EU Strategic Framework on Health and Safety at Work 2014-2020 has identified 'Improving the prevention of work-related diseases by tackling existing new and emerging risks' as one of the three key challenges. To address these challenges the Strategic Framework identifies seven key strategic objectives one of which focuses on 'Addressing the ageing of the workforce, emerging new risks, prevention of work-related and occupational diseases', and proposes specific actions including related to rehabilitation and reintegration.</p>
<p>– Report on the implementation of the European social partners' framework agreement on work-related stress</p>	<p>Completed</p>	<p>In 2011, the Commission adopted a report on the implementation of the European Framework Agreement on Work-related Stress (SEC(2011)241final). Most Member States have incorporated initiatives aimed at preventing mental health problems into their national strategies.</p>

<p>– Explore the possibility to address the needs of people acquiring a disability while working at sea, particularly in the context of the revision of financial instruments</p>	Completed	<p>The European Fisheries Fund (2007-2013) as well as the forthcoming European Maritime and Fisheries Fund (2014-2020) include support for investments in safety on board and the acquisition of new professional skills in the broad maritime sectors. These Funds can also provide aid for adapting working conditions to the needs of disabled workers, in particular for on-shore activities related to fisheries and the maritime economy at large.</p>
<p>– Address the issue of prevention of disabilities including work related disabilities for reasons of mental disorders</p>	Ongoing	<p>Studies were commissioned on Mental Health Systems in Member States with a focus on promotion and prevention (http://ec.europa.eu/health/mental_health/docs/europopp_full_en.pdf), and on an economic analysis of the benefits of workplace mental health promotion and mental disorder prevention programmes (http://ec.europa.eu/health/mental_health/docs/matrix_economic_analysis_mh_promotion_en.pdf).</p>

8. EXTERNAL ACTION

Specific objective

Promote the rights of people with disabilities within a broader non-discriminatory approach

in the EU external action, including the enlargement process and development programmes, taking due account of the common EU and Member States' approach to development

*EUDs = European Union Delegations

Key actions	When	
<ul style="list-style-type: none"> – Ensure that the specific needs of persons with disabilities, including those who are disabled as a consequence of natural and man-made disasters, are properly assessed and addressed in the area of emergency and humanitarian aid outside the EU 	Ongoing	<p>The European Commission mandate in humanitarian aid includes the provision of needs-based assistance in particular to the most vulnerable, which includes persons with disabilities. Persons with disabilities are considered a category in the Commission's humanitarian vulnerability criteria, a tool used to target those who are most 'at-risk' in any population, who have additional needs and require specialised protection. The needs of persons with disabilities are mainstreamed in operations within all sectors of humanitarian aid.</p> <p>In March 2015, the Council adopted, in close consultation with the Commission, Conclusions on disability-inclusive disaster management. People with disabilities and their representative organisations were consulted during preparation of the Conclusions. The needs of people with disabilities were also considered among the priorities of the Union Civil Protection Mechanism activities under its Annual Work Programme 2016. They are also included in its most</p>

	<p>recent Annual Work Programme 2017, adopted in December 2016. The Commission co-finances Civil Protection Mechanism exercises and preparedness projects taking into consideration the needs of persons with disabilities.</p> <p>The Commission has in recent years introduced several measures of guidance on quality programming to better address the challenge of the needs of individual vulnerable groups in complex humanitarian emergencies. In this context, the Gender-Age marker in particular should be highlighted, as age is a highly relevant factor in the context of persons with disabilities.</p> <p>The Commission has just adopted a new approach to addressing forced displacement, through a multi-actor approach, including political, economic, development and humanitarian actors. In this new approach the needs of vulnerable groups, including persons with disabilities, are taken into consideration.</p> <p>The Commission was also represented during the 105th Session of the International Labour Organization (ILO) Conference, which took place in Geneva in June 2016. Commission President Jean-Claude Juncker together with Commissioner for Employment, Social Affairs, Skills and Labour Mobility Marianne Thyssen, made a</p>
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		<p>key contribution to the work and outcomes of the Conference, by praising the good EU-ILO cooperation and discussing the role both organisations can play in the implementation of the 2030 Agenda for sustainable development and the monitoring of progress towards decent work for all.</p>
<p>– Highlight disability where appropriate as a human rights issue in the EU human rights dialogues with third countries, based on the principles of the UNCRPD</p>	<p>Ongoing</p>	<p>The EU has strongly supported disability inclusion during the negotiations for the SDGs and the Sendai Framework for Disaster Risk Reduction.</p> <p>The EU has organised many events at international level to raise awareness about the rights of persons with disabilities (e.g. during the International Day of Persons with Disabilities).</p> <p>Disability was addressed as a human rights issue in the following EU human rights dialogues - African Union: May and October 2010; Argentina: April 2012; Brazil: September 2012; Chile: May 2012; Mexico: March 2010; Moldova April 2013; New Zealand: March 2010; Palestinian Authority, May 2012; Russia: November and May 2011, May 2013; Tajikistan March 2013; US: February 2012, Uzbekistan November 2012; ASEAN: October 2015.</p> <p>Organisation of the 16th Informal ASEM Seminar on Human Rights on the theme “Persons with Disabilities</p>

		and Human Rights” (China, November 2016)
<p>– Ensure that EU development cooperation reaches persons with disabilities, both through projects/programmes specifically targeting persons with disabilities and by improving the mainstreaming of disability concerns</p>	Ongoing	<p>i) At policy level: Explicit provisions for the promotion of the rights of persons with disabilities in external action have been included in key policy strategies (e.g. proposal for a new European Consensus on Development; EU Strategic Framework and Action Plan on Human Rights¹⁰³) and in the regulations establishing the external financing instruments (e.g. the Development Cooperation Instrument¹⁰⁴, the Instrument for Democracy and Human Rights¹⁰⁵, the regulation laying down common rules for the implementation of the external action financing instruments¹⁰⁶)</p> <p>ii) At operational level: From 2010 to 2016, the EU funded over 336 disability-specific projects in more than 95 partner countries with financial commitments of over EUR 161 million. These projects –most of which are implemented in partnership with civil society organisations, including disabled persons' organisations- generally cover areas such as the promotion of the rights of persons with disabilities and</p>

¹⁰³ Council Conclusions 10897/15

¹⁰⁴ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32014R0233>

¹⁰⁵ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R0235>

¹⁰⁶ <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R0236>

	<p>social inclusion (e.g. through education, health and employment).</p> <p>Adoption of a global thematic project which will develop the human rights indicators to monitor the UNCRPD and policy guidelines for the implementation of the SDGs in line with the Convention.</p> <p>Adoption of the European Instrument for Democracy and Human Rights (EIDHR) Multi-Annual Programme 2016-2017, which includes the rights of persons with disabilities as one of the priorities of the EIDHR Global Call for 2017.</p> <p>In parallel, efforts are being made to better mainstream disability rights in all projects (e.g. Capacity-building and awareness-raising of Commission staff members, via the 2012 guidance note on "Disability-Inclusive Development cooperation", training seminars, and the web platform "Disability and Development Network"; adoption of the "Tool-box on a rights-based approach, encompassing all human rights, for EU development cooperation" (2014) which defines non-discrimination and equal access as one of five guiding principles; dedicated support to both headquarters and Delegation</p>
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		<p>staff on the rights-based approach which addresses the EU's obligations under Article 32 of the UN CRPD).</p> <p>A new global thematic project adopted by the Commission in 2015 will contribute to the socio-economic inclusion, equality and non-discrimination of persons with disabilities in low and middle-income countries through more inclusive and accountable institutions and policies (€7.1 M). At global level, the project supports the Office of the High Commissioner of Human Rights (OHCHR) for the elaboration of Human Rights indicators for the CRPD as a public good, which will allow better monitoring of the implementation of the Convention and provide a clear guidance to governments on public policies and measures that are necessary to implement each of its articles.</p>
<p>– Enhance coherence and complementarity between the EU approach to persons with disabilities and EU assistance to survivors of landmine and explosive remnants of war during armed conflict and its aftermath</p>	<p>Ongoing</p>	<p>A number of projects have been supported in this field, such as:</p> <ul style="list-style-type: none"> - Campagne de sensibilisation et de mobilisation sur la lutte contre les mines et les bombes a sous-munitions comme facteur de développement (EIDHR, 2011, € 975 000 €) - Landmines and UXO clearance operations in the

		<p>North Lebanon Province (ENPI, 2013, € 1 710 000);</p> <p>- Renforcement des capacités de la CNCCAI et assistance aux victimes de mines et restes explosifs de guerre dans la région d'Agadez, Niger (IFS-RRM, 2012, € 400 000 €)</p>
<p>– Support the national efforts of partner countries for the signature, ratification and implementation of the UNCRPD</p>	<p>Ongoing</p>	<p>In the period 2010 - 2015 the EU funded over 100 projects specifically targeted to the promotion of the rights of persons with disabilities through the European Instrument on Democracy and Human Rights. Many of them had the specific objective of helping partner countries to align with the UN Convention, empowering people to advocate effectively for their rights etc. For example:</p> <p>- Algeria "La Convention d'Ottawa et la Convention relative aux droits des personnes handicapées au service d'un meilleur accompagnement des personnes en situation de handicap en Algérie" (EIDHR, 2012, €100,000)</p> <p>Madagascar "Appui au mouvement du handicap pour la promotion et le suivi de l'application de la convention internationale relative aux droits des personnes handicapées" (EIDHR, 2015, €182,620)</p> <p>Bangladesh Promoting Social and Political Rights of Persons with Disabilities through implementation of</p>

		CRPD in Bangladesh (EIDHR 2012, €300,000)
– Support where appropriate the institutional strengthening of Disabled Peoples' Organisations in partner countries and organisations dealing with disability and development	Ongoing	Over 80 projects were funded in the framework of the Non State Actors and Local Authorities and Investing in People thematic programmes, aiming at strengthening the capacities of non-state actors and local authorities. Examples: Bangladesh "Strengthening Capacity and Networking of NSAs and LAs on Disability (SCANED)" (DCI-NSAPVD, 2013, € 1,500,000) Cambodia "Promoting collaboration between civil society and local authorities for the delivery of inclusive services to vulnerable citizens" (DCI-NSAPVD, 2015, €746,355) Liberia "Making it work: empowering disabled people organisations and their networks in Liberia" (DCI-NSAPVD, 2011, €284,579)
– Consolidate the network of disability focal points in EU Delegations and at Headquarters, and increase the awareness of EU staff on disability matters	Ongoing	Some 80 Delegations have appointed 1 or 2 focal points among their staff. At Headquarters focal points are identified and sensitised whenever a proposed action is submitted for consultation or other initiatives. The internet network through the platform Capacity4Dev previously set up has continued to be

		<p>developed. It links disability contact persons in HQ, EU Delegations and it was further opened to external practitioners. It provides easy access to news, information, reports, etc. on disability and development. Events are regularly advertised.</p> <p>Specific training course for EU staff on Disability and Development held in November 2012, November 2014. Disability is included in the training seminar on "Leave no one behind: making sure that EU development cooperation reaches women, children and persons with disabilities" (organised in February and October 2016). Sessions on the rights and inclusion of persons with disabilities have been included in other training courses (e.g. training on vocational education and training, 2015; yearly training for EEAS staff on human rights and non-discrimination; trainings on the rights-based approach (2016/2017)).</p>
<p>– Promote that infrastructure financed in the framework of EU development projects meets the accessibility requirements of people with disabilities.</p>	<p>Ongoing</p>	<p>The Common Implementing Regulation¹⁰⁷ of the External Financing Instruments stipulates that criteria regarding accessibility for persons with disabilities shall be duly taken into account in the design and implementation of programmes and projects.</p> <p>The updated version of 2012, the Practical Guide to</p>

¹⁰⁷ Regulation (EU) N° 236/2014 of 11 March 2014.

		Contract Procedures for EU External Action, has included in the contractual procedures of EU funded projects and programmes ¹⁰⁸ accessibility requirements for persons with disabilities. The inclusion of accessibility is also monitored in financing proposals when submitted for consultation.
– Update the Guidance Note on Disability and Development to be in line with the UN Convention on the Rights of Person with Disabilities	Completed	The updated Guidance Note, available in EN, FR and ES, has been disseminated among EU staff working in HQ and EUDs and published to external audience on EuropeAid website in 2012. ¹⁰⁹ An updated version is being prepared.
– Ensure that progress is made by candidate and potential candidate countries on promoting the rights of persons with disabilities and that accession funds are used to improve their situation	Ongoing	This issue is regularly addressed with candidate countries in meetings and events.
– Encourage European Neighbourhood Policy partner countries to protect the rights of persons with disabilities; mainstream disability-related issues through policy dialogue and exchange of experience; and explore possibilities for financial assistance under the European Neighbourhood Policy and Partnership Instrument	Ongoing	This issue is regularly addressed with candidate countries in meetings and events.

¹⁰⁸ http://ec.europa.eu/europeaid/work/procedures/implementation/documents/prag_2013_en.pdf

¹⁰⁹ http://ec.europa.eu/europeaid/what/social-protection/documents/disability_guidance_note_en.pdf

IMPLEMENTATION OF THE EUROPEAN DISABILITY STRATEGY 2010-2020: GENERAL INSTRUMENTS

The European Disability Strategy requires a joint and renewed commitment of the EU institutions and all Member States to create a barrier free Europe. The actions in the main areas above need to be underpinned by the following general instruments:

1. AWARENESS-RAISING

Specific objective		
Raise awareness throughout society of the rights of people with disabilities, promoting recognition of skills, merits and abilities and combating prejudices and discrimination		
Key actions	When	
<i>Ensure that people with disabilities are aware of their rights and of the EU activities to guarantee these rights, while paying particular attention to accessibility of materials and information channels</i>		
– Support awareness-raising activities (including in the media) to highlight the capabilities and contributions of women and men with disabilities	Ongoing	This issue has been regularly addressed through the European Day of Persons with Disabilities. Also EU level DPOs are supported to contribute to this action.
– Raise awareness of the relationship between ageing and disability within the European Year 2012 for Active Ageing	Completed	As active ageing requires a wide range of measures to be taken in public policies at different levels of governance, a reflection on how integrated action plans can be developed took place during the EY on 4 June 2012 at the conference on good governance for active and healthy ageing organised in close cooperation with DG SANCO, CNECT,, JUST, the WHO and UNECE

		<p>(the United Nations Economic Commission for Europe). In June 2013, a call for proposals was published to provide support to public authorities wishing to develop comprehensive active ageing strategies.</p> <p>One of the goals of the EY was also to promote age-friendly environments. Cooperation has been agreed in the summer of 2013 with the WHO to provide better support to local and regional authorities wishing to become more age-friendly.</p>
<p>– Annual policy conference on the occasion of the European day of persons with disabilities</p>	Completed	<p>The EDPD conference takes place annually and gathers around 350 stakeholders from all over the EU. Every year it focuses on a theme of the utmost importance to persons with disabilities.</p>
<p><i>Promote awareness raising on design for all and universal design</i></p>		
<p>– Organise an annual EU Accessible Cities award</p>	Completed	<p>The Access City Award was launched in 2010; the award is currently in its seventh edition. More than 250 EU cities have participated since then. As every year, the winner, the 2nd, 3rd prize and the special mentions are announced on the occasion of the European Day of Persons with Disabilities.</p> <p>The outcome of the conference on best practices by EU cities "Access City Award 2016-Examples of best practice for making EU cities more accessible" has been produced and published by the European Commission: http://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=2237</p>

<p>– Promote knowledge of innovation in assistive technology</p>	<p>Ongoing</p>	<p>Through the ICT research programme AAL, projects develop and use innovative AT. Within FP8 and H2020, several research and innovation projects are funded to develop interfaces/assistive technologies for the disabled.</p>
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2. FINANCIAL SUPPORT

<p>Specific objective</p>		
<p>Optimise use of EU funding instruments for accessibility and non-discrimination and increase visibility of disability-relevant funding possibilities in post-2013 programmes while respecting European competition legislation, in particular State aid rules.</p>		
<p>Key actions</p>	<p>When</p>	
<p>– Promote that EU programmes in policy areas relevant for people with disabilities will contain thematic funding opportunities (e.g. ESF, PROGRESS, LLP, FP7, Youth)</p>	<p>Ongoing</p>	<p>The COM proposal for the regulation of the ESF in 2014-2020 foresees an investment priority to combat discrimination, including discrimination based on disability. It also contains an investment priority for enhancing access to services.</p> <p>The project DISCIT – Making persons with Disabilities Full Citizens – is a research project (FP7- Social Sciences and the Humanities) aiming at: 1) developing Active Citizenship as a multifaceted concept and explore this challenge for the EU, 2) examine the interactions between different government levels (international, European, national, federal, regional/local) to promote Active Citizenship, 3)</p>

	<p>investigate the settings for active Citizenship in the economy, the market, community living, civic life, and in the use of new technologies, and identify policy lessons and recommendations.</p> <p>The project started in 2013 and has ended in 2016. It was coordinated by NOVA, Norwegian social Research. www.discit.eu</p> <p>28 projects related to special needs/disabilities were funded under KA1, KA2 and KA3 of the Lifelong Learning Programme (2007-2013). Under KA1 (Promoting the Integration of Roma in and through Education) one project was related to Roma people with mental disabilities. Under KA2 (languages) three main topics were covered: sign languages (5 projects), visually impaired people (3 projects) and dyslexia (2 projects). Under KA3 (ICT), 17 projects focused mainly in the development of ICT educational tools for learners with disabilities.</p> <p>The 28 LLL Programme projects include the <i>ExchangeAbility</i> project (aimed at facilitating the participation of disabled people in student mobility, www.esn.org/sites/default/files/ea_handout.pdf), the <i>European Action on Disability within Higher Education</i> (www.eadhe.eu) and the <i>Audio Description: Lifelong Access for the Blind</i> (www.adlabproject.eu)</p>
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		<p>projects.</p> <p>Since 2014, Erasmus+ has been funding the European Forum of Sign Language Interpreters (EFSLI) and Telecentre Europe AISBL through operating grants under the "Civil Society Cooperation" action.</p>
<p>– Support research projects in the areas of environment, information society, transport and security under the FP7</p>	<p>Ongoing</p>	<p>Currently CNECT G3 is running ca. 30 research projects in the area of assistive technologies, ICT for social inclusion and BNCI (brain and neural computer interface). Currently there are more than 350 projects supported by the Marie Skłodowska-Curie actions in the area of environment, information society, transport and security¹¹⁰ The Commission, under the research framework programme H2020's LEIT priority, for the period 2014 – 2015 dedicated 16M EUR to research on multimodal interfaces for assisting people with disabilities and 17M EUR to “Advanced digital games/gamification technologies” (including for people at risk of exclusion). Funding will continue in the forthcoming periods. In 2017 14M EUR is allocated to Interfaces for Accessibility (RIA and IA) within ICT-23-2017.</p>

¹¹⁰ According to a keyword-search in CORDA.

<p>– Promote the design and application of European co-funding instruments under shared management, in particular the Structural Funds (and the Microfinance facility), in an accessible and non-discriminatory way</p>	<p>Ongoing</p>	<p>In the regulations of the 2014-2020 programming period of the ESI funds, non-discrimination is a horizontal principle for the implementation. Member States and the Commission shall both take appropriate steps to prevent discrimination based on disability. Actions promoting equal opportunities and to ensuring accessibility for disabled persons shall be followed up by the Monitoring Committees of the operational programmes. Moreover, antidiscrimination is promoted through a general ex-ante conditionality, the fulfilment of which is a precondition for funding. The conditionality requires the effective implementation and application of the EU Directives 2000/78/EC and 2000/43/EC on non-discrimination.</p>
<p>– Prepare for input of new ESF design from 2014 onwards gathering information on the future of the ESF and its use for people with disabilities</p>	<p>Completed</p>	<p>The ESFs' contribution to social inclusion will focus mainly on challenges identified in the country-specific recommendations, such as supporting those at risk, healthcare systems, and long-term care services. These investments aim to ensure the accessibility and effectiveness of social and health services. 2 to 2.5 million disadvantaged people, including persons with disabilities, are expected to benefit from these interventions.</p>

– Prepare for input of new ERDF design from 2014 onwards gathering information on the future of the ERDF and its use for people with disabilities	Completed	Regulation 1301/2013 on ERDF foresees that "In order to promote social inclusion and combat poverty, particularly among marginalised communities, it is necessary to improve access to social, cultural and recreational services, through the provision of small-scale infrastructure, taking account of the specific needs of persons with disabilities and the elderly".
– Update of toolkit on non-discrimination and accessibility in the structural funds	Ongoing	This action is overtaken by the new ESIF Regulation. In addition a toolkit on Deinstitutionalisation has been developed by NGOs with contribution by the Commission.
– Financial support for EU level NGOs of and for persons with disabilities	Ongoing	The Commission provides financial support to 10 EU-level NGOs.

3. STATISTICS AND DATA COLLECTION AND MONITORING

Specific objective	
Supplement the collection of periodical disability-related statistics with a view to monitoring the situation of persons with disabilities (EU-SILC, LFS AHM, EHIS and EDSIM)	
Key actions	When
– Monitor the situation on disabled persons on the labour market through the 2011 LFS AHM on employment of persons with disabilities with an option to repeat the module after five years	Completed
	A set of variables is added to the Labour Force Survey on an annual but rotating basis. In 2011 these variables focused on the employment of disabled people. Data is already disseminated by Eurostat. Eurostat also published statistical articles available through the

		<p>online publication on disability statistics in Statistics Explained. The data was used extensively by the Commission, Member States, experts, etc. A module on this topic will not be repeated in future in LFS. Instead, it is proposed to have every 2 years in LFS a variable on the limitation in usual activities (similar to the one in EU-SILC) that will allow having information on the labour market participation of people with disabilities.</p>
<p>– Develop and implement a specific EU wide survey on health and social integration based on a revised European Disability and Social Integration Module EDSIM with an option to repeat the module after five years</p>	<p>Completed</p>	<p>A disability survey (named European Health and Social Integration Survey - EHSIS) was conducted by Eurostat in 2012/2013 and its results were disseminated in 2015.</p> <p>Over the past years, Eurostat in collaboration with the MS started working on a strategy for the modernisation of social statistics. One goal of this strategy is to streamline the existing EU social surveys. A framework regulation covering the main EU social surveys is being developed (IESS) and is expected to enter into force in 2017. In this context, it was agreed to discontinue EHSIS and to consider the inclusion of a disability module in EHIS which is conducted with a regular periodicity.</p>
<p>– Collate complementary information on activity limitations and activities of daily living through European Health Interview Surveys EHIS on a five-years basis, starting in 2014</p>	<p>Ongoing</p>	<p>The Commission Regulation adopted at the beginning of 2013 covers only the reference year 2014. A new Commission Regulation will be adopted in 2017/2018</p>

		that will cover the reference year 2019. Afterwards, the periodicity of EHIS is expected to be changed to 6 years, as stipulated in the draft IESS framework regulation.
– Work with the Washington City Group and the Budapest Initiative for a common approach of disability statistics at international level	Ongoing	Budapest Initiative finished its work few years ago, so there are no areas of cooperation. As regards the Washington Group, Eurostat participated in its last two meetings and currently assesses the possibility for including questions from the module on child disability developed by UNICEF and Washington Group in a future EHIS module about the health of children.
– Work towards a legal basis for a health and social integration survey implementing Regulation (EC) 1338/2008 on public health statistics	Completed	The European Health and Social Integration Survey (EHSIS) was conducted by Eurostat in 2012/2013 without a legal basis. As the decision is to discontinue EHSIS, disability (incl. barriers to social integration) will be part of the future EHIS that is planned to be conducted under the IESS framework regulation.
– Make use of the independent academic disability expert network to collect data on the situation of persons with disabilities in Member States and analyse relevant related policy and legislation.	Ongoing	ANED (Academic Network of European Disability experts) collects and analyses data on the situation of persons with disabilities in Member States. Every year ANED produced reports on specific issues for example in 2014 on Europe 2020 strategy, and on health.
<i>Monitor the role of disability in key Europe 2020 targets</i>		

<p>– On the basis of statistics and data collection, establish disability-related indicators linked to the Europe 2020 targets for education, employment and poverty reduction:</p> <p>(1) Employment (% of persons with disabilities in the open labour market), linked to the target to raise the employment rate for women and men aged 20-64 to 75%</p> <p>(2) Poverty (% of persons with disabilities at risk of poverty), linked to the target to lift at least 20 million people out of the risk of poverty and exclusion</p> <p>(3) Education (% of persons with disabilities having completed tertiary education), linked to the target to raise the share of 30-34 years old having completed tertiary education to at least 40%</p>	Ongoing	<p>ANED is publishing annually data on employment, education, poverty and social exclusion based on EU-SILC.</p> <p>In addition, Eurostat publishes on a regular basis tables corresponding to the main SILC indicators (at risk of poverty, material deprivation, housing, etc.) using the SILC variable on activity limitation GALI (proxy for disabled persons) as a breakdown.</p> <p>A module is added to the Labour Force Survey on a yearly but rotating basis. In 2011, the module focused on employment of disabled people. Data from this module were disseminated. In order to produce employment and education data for persons with disabilities with an increased frequency, it is proposed that this module will not be repeated in future and the GALI variable will be introduced in the Labour Force Survey once every two years.</p>
<i>Promote independent monitoring of the implementation of the UNCRPD</i>		
<p>– Make a proposal to establish a framework, including one or more independent mechanisms, with the aim of promoting, protecting and monitoring the implementation of the UNCRPD</p>	Completed	<p>The Commission proposed in 2012 that the following five EU institutions and bodies jointly form the EU Framework: the European Parliament's Petitions Committee; the European Ombudsman; the EU Agency for Fundamental Rights; the European</p>

		<p>Disability Forum, and the European Commission. The proposed arrangement was endorsed by the Council of the EU on 29 October 2012. The EU Framework held its first meeting in January 2013.</p> <p>After the hearing on the EU implementation of the Convention, the Committee in its Concluding Observations asked for the Commission withdrawal of the Framework. The Commission does not participate to the meetings any longer and is working to formalise the withdrawal.</p>
<i>Foster the effective implementation of the UNCRPD in Europe</i>		
– Regularly organise a work forum with the national and European implementation and monitoring mechanisms under the UNCRPD	Completed	The Work Forum on the implementation of the UNCRPD has been organised annually since 2010.
– Organise training for legal and policy practitioners on legal matters related to the UNCRPD	Ongoing	A series of six trainings for legal and policy practitioners is being organised and carried out by ERA. Four trainings already took place in 2011, involving 200 participants. A new series of training is financed starting in 2016.
<i>Monitor the European Disability Strategy 2010-2020</i>		
– Preparatory work for the report to the Committee on the Rights of persons with Disabilities on the implementation of the	Completed	The report was submitted to the UN in 2014.

UNCRPD in Europe		
– Report on the implementation of the European Disability Strategy 2010-2020 actions and propose an update	Completed	This table is one of the tools used to help preparing the report.
– Publish and regularly update an on line table with key national and EU instruments for the implementation of the UNCRPD	Ongoing	ANED continues to update the online tool (the DOTCOM) to monitor and compare national and EU instruments in the field of disability law and standards. The online tool was published in May 2012 and it is update every year.

IMPLEMENTATION OF THE EUROPEAN DISABILITY STRATEGY 2010-2020: ACTIONS TO COMPLY WITH THE UNCRPD OBLIGATIONS WITHIN EU INSTITUTIONS

The UN Convention is binding in its entirety on the EU institutions. Together with the other institutions, the Commission will screen the Convention to identify action needed within them, including recruitment of people with disabilities to the EU institutions and more accessible buildings, websites, ICT tools and documents.

Specific objective		
Screen the UN Convention to identify action needed within EU institutions to comply with its obligations		
Key actions	When	
– Address employment matters of women and men with disabilities in the EU institutions	Ongoing	Guidance on reasonable accommodation developed for persons with disabilities and specific training on disability issues was launched in 2013 by DG HR. The training is in first instance targeted to "frontline"

	<p>professionals dealing with persons with a disability and disability issues (e.g. from HR, Med Service, OIB, DIGIT and those dealing in DGs with disability). In second instance the training is to be extended to other staff (in particular managers) working with people with disabilities.</p> <p>EPSO:</p> <ul style="list-style-type: none"> - reasonable accommodations (5 steps + 1) procedure for candidates with disabilities and special needs developed based on expertise and best international practices (benchmark against leading EU countries in the field of special accommodations done) - new reasonable accommodations form collecting obstacles in a testing situation (per type of test and answers expected) for every type of special needs developed and piloted in the AD 5 competition organised in 2015. - Systematic and standardised satisfaction survey after each step of the selection procedure tested in 2015 (AD 5 competition). High levels of satisfaction observed (90% of candidates benefiting from reasonable accommodations declare being satisfied and very satisfied by the accommodations). The average score for the quality of the service received: 8.4/10. Suggestions for improvement section allows us to constantly improve
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		<p>the process of reasonable accommodations based on candidates' satisfaction and needs.</p> <ul style="list-style-type: none"> - In the context of the communication plan, aiming at attracting more talent with disabilities, EPSO is providing candidates with disabilities with the necessary information on their rights concerning reasonable accommodation of selection tests and how to request them (project about testimonials from colleagues with special needs started in 2015).
<ul style="list-style-type: none"> - Ensure that in the EU Institutions' selection/recruitment processes people with disabilities compete on an equal footing with non-disabled candidates, by improving the accessibility of test centres, IT tools and selection procedures and granting reasonable accommodation 	<p>Ongoing</p>	<ul style="list-style-type: none"> - Inclusion principle : no separate competitions for candidates with disabilities, all candidates compete on an equal footing (same criteria, same tests, same competences for all) - reasonable accommodations in the selection procedure are provided to candidates with disabilities and special needs by the EPSO accessibility team in order to allow them to demonstrate their skills and perform without any obstacles due to their disability, illness, pregnancy/breast-feeding period... (E.g. extra time, compensational software's (Zoomtext, Braille), adapted formats, guidance, adapted testing/resting rooms...) - the Computer Based Testing (CBT) phase of the competitions takes place in centres managed by the contractor Prometric. These test centres are designed to be accessible, for example they should contain ramps, wide doorframes, lifts and toilets with wheelchair access.

	<p>Prometric staff implements the reasonable accommodations of selection tests that the EPSO ACCESSIBILITY team has defined per candidate based on candidates' needs.</p> <ul style="list-style-type: none">- special testing rooms in Brussels: Since 2010, EPSO's assessment centre in Brussels includes 3 testing rooms equipped for people with a variety of disabilities and special needs. For example, the rooms contain height-adjustable desks and chairs, braille keyboards. EPSO also disposes of a resting room, a child nursing room (breastfeeding room) and specially equipped and accessible toilets.- there is information on disability, special needs and reasonable accommodation in the application form, notice of competition, guide to open competition and on our website in order to inform the candidates with special needs about these measures and how to benefit from them.- EPSO is systematically and intensively working on improving accessibility of its selection procedures and communication. Should candidates encounter any difficulties with accessibility, EPSO offers assistance and fully accessible formats of documents and tools to assistive technologies.- new reasonable accommodations procedure + systematic feedback from candidates benefiting from special accommodations allowing us to
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		<p>continually improve our procedures and tools</p> <ul style="list-style-type: none"> -systematic accessibility screening of EPSO's communication, tests and tools. EPSO produces accessible formats of various supports (tests, demo-tests, surveys...). -training on disability and reasonable accommodations developed and given in the pilot project of the EPSO ACADEMY development and accreditation programme for selection board members - tips & tricks / interview guidelines on how to interview candidates with disabilities developed for selection board members and shared with different Institutions via the EPSO ACADEMY
<p>– Improve accessibility of buildings, websites, events, ICT tools, applications and documents</p>	<p>Ongoing</p>	<p>Study carried out by OIL concerning the access for disabled persons to the Foyer building and its premises. The call for tender for the new building JMO 2 in Luxembourg specified accessibility criteria which should be met by the constructor.</p> <p>SCIC has foreseen technical audio-visual solutions to accommodate a sign language interpreter in big meeting rooms and/or big meetings in the specifications for the New Conference Centre.</p> <p>Further, SCIC has also integrated in the conception of the new conference centre three ISO standards concerning</p>

	<p>access, use of IT guidance system for visually impaired persons and induction loop for all users of the as a standard feature or on request. OIB ensures that any building selected to house Commission services in Brussels conforms in every respect to Belgian legislation, including the legal requirements for the accessibility of persons with disabilities. "Manuel des normes applicables à l'Immeuble Type" (MIT) integrates a body of mandatory regulations and additional internal recommendations to be complied in design and realisation of new EC buildings (or buildings in large-scale renovations). Therefore, 'A Design for all' principle presides in both the design and the construction stage.</p> <p>However, a large part of the existing stock was designed and built more than twenty years ago, when legal requirements were lower than today's ones. In these buildings actions focused on improving accessibility are being executed, such as the adaptation of elevators, construction of wheelchair accesses, signalisation and tactile guide paths. However, adaptation to up to date standards is difficult and costly, that is why it is tackled on a case-by-case approach when requested for a disabled employee. Six buildings are receiving adaptations for people with disability. These are BERL, CHAR, MADDO, SC11, MO34, CCAB and the entrance</p>
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	<p>of BREY.</p> <p>They have been specially selected on the criteria of frequentation by external public visitors.</p> <p>Being the official publisher of the European Union, the Publications Office has been committed to ensure that the EU publications are accessible to all users thus OP has been endorsing the inclusive publishing both in its workflows and its contracts.</p> <p>Accessibility compliance clauses were included by default in contracts that OP signs with service providers for publications production and web development. The deliverables produced by these companies must comply with the recommendations of the W3C Web Content Accessibility Guidelines 2.0 (conformance level AA) for web development and with EPUB3 and accessible PDF standards for publications. On top of that, training sessions were organised to help author services provide content in the way it allows producing accessible formats.</p> <p>In order to guarantee an acceptable level of accessibility over time, the Publications Office conceived a practical approach comprising assessments performed by external consultants and internal expertise. Since 2013 specialised</p>
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		contractors regularly monitor the accessibility of EUR-Lex, TED and EU Bookshop as well as the documents exposed in them. The accessibility barriers found have been reported and corrective measures for critical issues implemented.
– Create an inter-institutional group to coordinate the implementation of the UN Convention	Ongoing	Ad-hoc working group from CPAS met and reported on implementation of UNCRPD.

12. ANNEX 3 - RECOMMENDATIONS OF THE UN COMMITTEE BY KEY ACTIONS IN THE EUROPEAN DISABILITY STRATEGY (EDS)

Nr.	Recommendation UN	Area for action EDS	Key action EDS	Follow-up
A.	General principles and obligations (arts. 1–4)			
7.	The Committee calls upon the European Union to ratify the Optional Protocol to the Convention.	Supportive instruments	Monitoring	Ongoing The accession to the OP is in the EU Human rights action plan and needs to be discussed with the Member States in COHOM. Unanimity is needed.
9.	The Committee recommends that the European Union conduct a cross-cutting, comprehensive review of its legislation in order to ensure full harmonization with the provisions of the Convention, and actively involve representative organizations of persons with disabilities and independent human rights institutions in the process. It also recommends the adoption of a strategy on the implementation of the Convention, with the allocation of a budget, a time frame for implementation and a monitoring mechanism.	Supportive instruments	Monitoring	Ongoing The revision is happening in a progressive manner when the legislation is being revised. The Better regulation package contains provision for the involvement of stakeholders in consultations. The current European Disability Strategy is valid until 2020 and is suitable for the implementation of the recommendations. It contains the relevant resources.

11.	The Committee recommends that the European Union carry out the mid-term assessment of the European Disability Strategy 2010-2020 and establish clear guidelines for including the recommendations in the present concluding observations, with clear benchmarks and indicators, in close consultation with persons with disabilities and their representative organizations.	EDS Conclusion	EDS Conclusion	Ongoing The Progress Report on the European Disability Strategy 2010-2020 is to be published at the beginning of 2017 along with its annexes.
13.	The Committee recommends that the impact assessment guidelines be reviewed and modified in order to include a more comprehensive list of issues to better assess compliance with the Convention.	Supportive instruments	Monitoring	Done The Guidelines have just been revised and include a reference to the Convention and guidance as to how to address disability concerns. The issue is to monitor their application and provide feedback for the next possible review.
15.	The Committee recommends that the European Union take the necessary measures to set up a structured dialogue with an independent budget line and sufficient funding for coordination among European Union institutions, agencies and bodies and for meaningful consultation with and the participation of persons with disabilities, including women, and girls and boys with disabilities, through their representative organizations.			Ongoing Dialogue ongoing with disabled people organisations in the context of the Social Pillar. No organised structure to coordinate the Interinstitutional implementation of the Convention.

17.	The Committee recommends that the European Union regularly update the declaration of competence and its list of instruments to include recently adopted instruments and instruments that may not specifically refer to persons with disabilities, but that are relevant to persons with disabilities.	Supportive instruments	Monitoring	Ongoing The Commission is preparing a list of legal acts relevant to the Convention to be published on line complementing those identified in the EU Declaration of competences. They would serve as the basis for the revision of the EU Competences for example when discussing accession to the OP.
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B.	Specific rights (arts. 5–30)			
	<i>Equality and non-discrimination (art. 5)</i>			
19.	The Committee recommends that the European Union adopt its proposed horizontal directive on equal treatment, extending protection against discrimination to persons with disabilities, including by the provision of reasonable accommodation in all areas of competence, The Committee also recommends that the European Union ensure that discrimination in all aspects on the grounds of disability is prohibited, including multiple and intersectional discrimination.	Equality	Support negotiations in Council of the Directive	Ongoing The Commission continues to cooperate with EP and Council on this. This issue is identified as a priority of this Commission.
	<i>Women with disabilities (art. 6)</i>			

21.	<p>The Committee recommends that the European Union mainstream a women and girls with disabilities perspective in its forthcoming gender equality strategy, policies and programmes, and a gender perspective in its disability strategies. The Committee also recommends that the European Union develop affirmative actions to advance the rights of women and girls with disabilities, establish a mechanism to monitor progress and fund data collection and research on women and girls with disabilities. The Committee further recommends that the European Union accede to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) as a step to combating violence against women and girls with disabilities.</p>	Equality	<p>There is no specific action on gender, but gender is mainstreamed in some key elements of the EDS</p>	<p>Discussions with DG JUST on this topic are ongoing.</p>
	<p><i>Children with disabilities (art. 7)</i></p>			

23.	<p>The Committee recommends that the European Union take the necessary measures, including through the use of the European Structural and Investment Funds and other relevant European Union funds, to develop support services for boys and girls with disabilities and their families in local communities, foster deinstitutionalization, prevent any new institutionalization and promote social inclusion and access to mainstream, inclusive, quality education for boys and girls with disabilities. The Committee also recommends that the renewed Agenda for the Rights of the Child include a comprehensive rights-based strategy for boys and girls with disabilities and safeguards to protect their rights. The Committee further recommends that all disability strategies address and mainstream the rights of boys and girls with disabilities.</p>	Participation	Enhance Member States' efforts towards the transition from institutional to community-based care	<p>Ongoing</p> <p>The work on deinstitutionalisation is included in the Structural Funds' priorities and is supported by various training actions. Discussions with the European Expert Group on the Transition from Institutional to Community-based Care (EEG) take place on a regular basis.</p> <p>Participation in the Inter-service group on Rights of the Child to mainstream disability issues.</p>
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25.	The Committee recommends that the European Union ensure that boys and girls with disabilities and their representative organizations are consulted on all matters that affect them and that appropriate assistance, according to their disability and age, is provided.	Financial Support	Financial support for EU level NGOs of and for persons with disabilities	Ongoing Through the consultations of EU level NGOs.
	<i>Awareness-raising (art. 8)</i>			
27.	The Committee recommends that the European Union develop a comprehensive campaign to raise awareness about the Convention on the Rights of Persons with Disabilities and combat prejudice against persons with disabilities, including women and girls, and especially persons with psychosocial disabilities, intellectual disabilities and older persons with disabilities. The Committee recommends that all materials related to capacity-building, training, awareness raising and public statements, among others, be made available in accessible formats.	Awareness raising	Organise an annual EU Accessible Cities award and annual European Day of People with Disabilities Conference and Work Forum on the implementation of the UNCRPD	Ongoing There is not a specific campaign to raise awareness only on the UN Convention on the Rights of Persons with Disabilities but awareness is regularly raised through several events and meetings.
	<i>Accessibility (art. 9)</i>			

29.	The Committee recommends that the European Union take efficient measures towards the prompt adoption of an amended European Accessibility Act that is aligned to the Convention, as developed in the Committee's general comment No. 2 (2014) on accessibility, including effective and accessible enforcement and complaint mechanisms. The Committee also recommends that the European Union ensure the participation of persons with disabilities, through their representative organizations, in the adoption process.	Accessibility	Prepare a European Accessibility Act setting out a general accessibility framework in relation to goods and services	Done The European Accessibility Act was adopted in December 2015
	<i>Situations of risk and humanitarian emergencies (art. 11)</i>			
31.	The Committee recommends that the European Union take the necessary measures to ensure that the emergency number 112 is fully accessible across the European Union to all persons with all types of disabilities and that all aspects of disaster risk-reduction policies and programmes are inclusive of and accessible to all persons with disabilities.	Accessibility	Implement the disability related provisions of the directives in the Regulatory framework for electronic communications in the European Union and of the Audio-visual Media Services Directive	Ongoing Projects launched within the Horizon 2020 program will pilot accessibility solutions for disabled end-users through 112 Apps. Also the European accessibility Act contains specific references to emergency services

33.	The Committee recommends that the European Union: (a) adopt an implementation plan in line with the Council conclusions on disability-inclusive disaster management of February 2015 and the Sendai Framework for Disaster Risk Reduction 2015-2030; (b) establish a mechanism to build capacity and share good practices among the different European Union institutions and among its member States on disability-inclusive and accessible humanitarian aid; (c) establish a monitoring and accountability framework for the implementation of European Union policies and programmes, including the collection of data disaggregated by sex, disability and age.	External Action	Ensure that the specific needs of persons with disabilities, including those who are disabled as a consequence of natural and man-made disasters, are properly assessed and addressed in the area of emergency and humanitarian aid outside the EU	Ongoing For point (b): The needs of persons with disabilities are mainstreamed in operations within all sectors of humanitarian aid.
35.	The Committee recommends that the European Union mainstream disability in its migration and refugee policies. The Committee also recommends that the European Union issue guidelines to its agencies and member States that restrictive detention of persons with disabilities in the context of migration and asylum seeking is not in line with the Convention.	Not in the Strategy	This issue was not picked up in 2010 given its limited relevance at the time but the change on priorities needs to be acknowledged.	
	<i>Equal recognition before the law (art. 12)</i>			

37.	The Committee recommends that the European Union take appropriate measures to ensure that all persons with disabilities who have been deprived of their legal capacity can exercise all the rights enshrined in European Union treaties and legislation, such as access to justice, goods and services, including banking, employment and health care, as well as voting and consumer rights, in line with the Convention, as developed in the Committee's general comment No. 1 (2014) on equal recognition before the law. The Committee also recommends that the European Union step up efforts to foster research, data collection and exchange of good practices on supported decision-making, in consultation with representative organizations of persons with disabilities.	Equality	Promote exchange of good practices on legal capacity	Ongoing Training provided by Academy of European Law (ERA) has regularly addressed issues related to Legal capacity under the UNCRPD. Exchanges in the context of the Disability High Level Group
	<i>Access to Justice (art. 13)</i>			
39.	The Committee recommends that the European Union take appropriate action to combat discrimination faced by persons with disabilities in accessing justice by ensuring that full procedural accommodation and funding for training justice personnel on the Convention are provided in its member States.	Participation	Promote life-long learning of people with disabilities working in the police or justice systems	Ongoing Art. 2(3) of Directive 2010/64/EU on the right to interpretation and translation in criminal proceedings which was adopted on 20 October 2010 foresees "appropriate assistance for persons with hearing and speech impediments". The directive had to be implemented by 27.10.2013 and several Member States have introduced an explicit reference to the service of a sign language interpreter into national legislation.

	<i>Liberty and Security of the person (art. 14)</i>			
41.	The Committee recommends that the European Union take all possible measures to ensure the liberty and security of all persons with all types of disabilities in line with the Convention and the Committee's guidelines on article 14 (2015).	Not in the Strategy		
	<i>Freedom from torture or cruel, inhuman or degrading treatment or punishment (Art. 15)</i>			
43.	The Committee recommends that the European Union review its ethics guidelines regarding research and especially set good practice examples by developing consent forms in accessible and easy-to-read formats, and prevent substituted decision-making in this area.	Not in the strategy		Ongoing The issues of informed consent are discussed within the ethical group on research under DG RTD.
	<i>Freedom from exploitation, violence and abuse (art. 16)</i>			

45.	The Committee recommends that the European Union take the necessary measures to mainstream disability in all legislation, policies and strategies for combating violence, abuse and exploitation, and provide effective protection from violence, abuse and exploitation to all persons with all types of disabilities inside and outside of the home environment.	Participation		Ongoing Through projects in DG JUST
	<i>Protecting the integrity of the person (art. 17)</i>			
47.	The Committee recommends that the European Union take all possible measures to ensure that the individual's right to free, prior and informed consent to treatment is upheld and supporting decision-making mechanisms are provided in European Union member States.	Not in the strategy		Ongoing Ongoing awareness-raising on the Convention's issues related to informed consent to treatment with SANTE and JUST (also closely related to the Committee's recommendation 41).
	<i>Freedom of movement (art.18)</i>			

49.	The Committee recommends that the European Union take immediate action to ensure that all persons with disabilities and their families can enjoy their right to freedom of movement on an equal basis with others, including with regard to the portability of social security benefits, in a coordinated manner across its member States.	Social Protection	Ensure that disability-specific issues are covered in any revisions of legislation concerning pensions and benefits portability	Ongoing The Directive 2014/50/EU on enhancing worker mobility by improving the acquisition and preservation of supplementary pension rights was adopted on 16 April 2014 and has to be transposed into national law by 21 May 2018. There is no specific reference to issues related to disability, but the adoption of the directive will contribute to better supplementary pension outcomes for people who are unable to remain with the same employer until retirement. Eight Member States (BE, CY, EE, FI, IT, MT, RO, SI) expressed interest to introduce the EU Disability Card and the system of associated benefits in their countries.
	<i>Living independently and being included in the community (art. 19)</i>			

51.	<p>The Committee recommends that the European Union develop an approach to guide and foster deinstitutionalization and to strengthen the monitoring of the use of the European Structural and Investment Funds so as to ensure that they are used strictly for the development of support services for persons with disabilities in local communities and not for the redevelopment or expansion of institutions. The Committee also recommends that the European Union suspend, withdraw and recover payments if the obligation to respect fundamental rights is breached.</p>	Participation	<p>Enhance Member States efforts towards the transition from institutional to community-based care</p>	<p>Ongoing</p> <p>FRA began in 2016 to conduct fieldwork research in five EU Member States (BG, FI, IE, IT, SK) to identify drivers and barriers to the deinstitutionalisation process. This research will continue throughout 2017, with results available in 2018.</p>
	<i>Personal mobility (art. 20)</i>			

53.	<p>The Committee recommends that the European Union strengthen the monitoring of the implementation of legislation on passenger rights and to harmonize the work of the national enforcement bodies in order to ensure the effective and equal enjoyment of rights by all passengers with disabilities across the European Union, including the implementation of the European Mobility Card. It also recommends that the European Union harmonize its existing legislation on passenger rights to bring it into line with regulations concerning the rights of maritime passengers.</p>	Accessibility	<p>Finalise negotiations in Council on proposal for Regulations on the Rights of passengers (including persons with reduced mobility) travelling by road and sea</p>	<p>Completed</p> <p>Regulation (EU) 1177/2010 (passengers travelling by sea and inland waterways) and Regulation (EU) 181/2011 (passengers in bus and coach transport) were adopted. The rights of disabled passengers and passengers with reduced mobility are covered by these Regulations.</p> <p>There is now a set of basic legislation to protect the rights of disabled persons and persons with reduced mobility when travelling in all modes of transport.</p> <p>In November 2011 the Commission launched a 12-month fact finding study on the legal and contractual bases on passenger rights in urban public transport and taxis, including rights of disabled passengers and passengers with reduced mobility. The results have been published on the Commission's (MOVE) website. http://ec.europa.eu/transport/themes/urban/studies/doc/2012-11-fact-finding-study-passenger-rights.pdf</p>
	<p><i>Freedom of expression and opinion, and access to information (art. 21)</i></p>			

55.	<p>The Committee recommends that the European Union take the necessary measures to enforce the implementation of its legislation on access to information and communication so as to facilitate access in accessible languages, formats and technologies appropriate to different kinds of disabilities, including sign languages, Braille, augmentative and alternative communication, and other accessible means, modes and formats of communication of their choice, including easy-to-read formats, for all persons with all types of disabilities, and to promote official recognition of sign language and Braille.</p>	<p>Participation Accessibility</p>	<p>Explore ways of facilitating the use of sign language in dealing with the EU institutions</p>	<p>Ongoing</p> <p>In order to promote sign languages, the Commission financed a pilot project on potential technological solutions to improve independent communication and interaction between the deaf or hard of hearing and EU institutions.</p> <p>The Commission, with a mandate from the Council, negotiated the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled at the World Intellectual Property Organization (WIPO) on behalf of the EU. The treaty was adopted in 2013 and signed by the EU in 2014.</p> <p>The Commission has been producing documents in easy-to-read and Braille, including conferences' materials and reports, such as the European Day of Persons with Disabilities' Conference, and the Work Forum on the implementation of the UN Convention. In addition, the Commission has been working to improve its EUROPA website to be more compliant with current Web accessibility standards.</p>
	<p><i>Respect for home and the family (art. 23)</i></p>			

57.	The Committee recommends that the European Union take appropriate measures to ensure that its economic and social policies and recommendations promote support for families with persons with disabilities and ensure the right of children with disabilities to live in their communities.	Social protection	Ensure equal opportunities for persons with disabilities and their families to fully participate in all aspects of social and economic life	Ongoing Through the European Semester these issues are raised and communicated to Member States. Also exchanges of good practices are supported and data collected through the Academic Network of European Disability experts (ANED)
59.	The Committee recommends that the European Union ensure that people with disabilities and families of persons with disabilities are included in the newly announced road map, "New start to address the challenges of work-life balance faced by working families".	Not in the strategy		Ongoing The Commission is considering addressing relevant disability concerns in this context
	<i>Education (art. 24)</i>			

61.	The Committee recommends that the European Union evaluate the current situation and take measures to facilitate access to and enjoyment of inclusive, quality education for all students with disabilities in line with the Convention, and include disability-specific indicators in the Europe 2020 strategy when pursuing the education target.	Education	Ensure that the annual Europe 2020 assessment gives due consideration to the situation of people with disabilities	Ongoing Disability-related indicators linked to the Europe 2020 targets for education, employment and poverty reduction have been developed showing the gap with the rest of the population. Since the beginning of the Strategy the disadvantaged situation of disabled people has been confirmed by the data available.
	<i>Health (art. 25)</i>			
63.	The Committee recommends that the European Union explicitly prohibit discrimination on the grounds of disability in the field of health care and take measures to ensure access to quality health care for all persons with all types of disabilities. It also recommends that the European Union evaluate the impact of the European Parliament and the Council of the European Union Directive 2011/24/EU on patients' rights in cross-border health care with regard to gaps in access for persons with disabilities, including accessible information, reasonable accommodation and training of professionals.	Health	Support policy developments to improve equal access to healthcare	Ongoing The current EU agenda for effective, accessible and resilient health systems aims at increasing the accessibility of all patients. Concrete actions in line with the Agenda can be founded by the Health programme, or Horizon 2020. A new pilot project -"VulnerABLE" – is looking at solutions to improve the health of vulnerable people, including people with disabilities. A 2015 Commission report on the operation of the Directive 2011/24/EU showed that most Member States have now transposed the Directive, albeit late. The situation however varies greatly according to Member States. Some are making considerable efforts to facilitate patients' rights to cross-border healthcare, but others do not.

	<i>Work and employment (art. 27)</i>			
65.	The Committee recommends that the European Union take effective action to measure the employment of persons with disabilities and to increase their employment rate in the open labour market, including by providing training for member States on reasonable accommodation and accessibility in the context of employment.	Employment	Provide guidance on reasonable accommodation for people with disabilities addressing employers and service providers	Ongoing The Commission published in 2013 a report on supported employment containing country fiche, recommendations. In 2015 the European Parliament published a report on reasonable accommodation and sheltered workshops (cost and returns) containing the EU overview of situation, country case studies and examples of good practice.
	<i>Adequate standard of living and social protection (art. 28)</i>			
67.	The Committee recommends that the European Union take urgent measures, in cooperation with its member States and representative organizations of persons with disabilities, to prevent further adverse and retrogressive effects of the austerity measures on the adequate standard of living of persons with disabilities, including by setting a social protection floor that respects the core content of the right to an adequate standard of living and to social protection.	Social Protection	Optimise the use of the European Platform against Poverty and the ESF	Ongoing Through the social Open Method of coordination, the EU has been promoting exchanges of good practice between Member States in the area of social protection, including the inclusion of persons with disabilities. Regular participation of stakeholders working in the area of disability also takes place in the regular EU strategic dialogue meetings with civil society and in the Annual Convention for Inclusive Growth. There is a regular exchange of examples of good practice
	<i>Participation in political and public life (art. 29)</i>			

69.	The Committee recommends that the European Union take the necessary measures, in cooperation with its member States and representative organizations of persons with disabilities, to enable all persons with all types of disabilities, including those under guardianship, to enjoy their right to vote and stand for election, including by providing accessible communication and facilities.	Participation	Support Member States efforts to ensure that women and men with disabilities can fully exercise their electoral rights by developing and disseminating standards on accessible election facilities and campaign material	Ongoing Work was undertaken by ANED and FRA to develop indicators and provide policy recommendations.
	<i>Participation in cultural life, recreation, leisure and sport (art. 30)</i>			
71.	The Committee encourages the European Union to take all appropriate measures to ratify and implement the Marrakesh Treaty as soon as possible.	Participation	Foster the cross-border transfer of copyright works in accessible format	Ongoing The EU signed the Marrakesh Treaty in April 2014. The Commission presented a legislative proposal to ratify the treaty in October 2014, and two legislative proposals (for a Directive and a Regulation) to implement the Treaty in EU law in September 2016.
C.	Specific obligations (arts. 31–33)			
	<i>Statistics and data collection (art. 31)</i>			
73.	The Committee recommends that the European Union develop a human rights-based indicators system in cooperation with persons with disabilities and their representative organizations, as well as a comparable comprehensive data collection system, with data disaggregated by gender, age, rural or urban population and impairment type.	Supportive Measures	Statistics	Ongoing A project with OCHR supported by DG DEVCO is working on the development of indicators. ESTAT is working on enhancing disability disaggregated data in the area of employment.

	<i>International cooperation (art. 32)</i>			
75.	<p>The Committee recommends that the European Union adopt a harmonized policy on disability-inclusive development and establish a systematic approach to mainstream the rights of persons with disabilities in all European Union international cooperation policies and programmes, appoint disability focal points in related institutions and take the lead in the implementation of disability-inclusive Sustainable Development Goals. The Committee also recommends that the European Union identify and put in place mechanisms to disaggregate data on disability in order to monitor the rights of persons with disabilities in European Union development programmes. It further recommends that the European Union interrupt any international development funding that is being used to perpetuate the segregation of persons with disabilities, and re-allocate such funding towards projects and initiatives that aim at compliance with the Convention.</p>	External Action	Ensure EU development cooperation reaches persons with disabilities.	<p>Ongoing</p> <p>Inclusion of explicit references to human rights of persons with disabilities in the Commission's proposal for a new European Consensus for Development¹¹¹ which will guide implementation of the 2030 Agenda for Sustainable Development.</p> <p>Adoption of the rights-based approach, encompassing all human rights, to EU development cooperation, as a working methodology to promote non-discrimination and equal access; dedicated support to staff both at headquarters and in EU Delegations on implementing the RBA, which also addresses the EU's obligations under Article 32 of the UN CRPD</p> <p>Ongoing revision of the Guidance note for EU Staff on disability-inclusive development cooperation.</p> <p>The ongoing global thematic project Bridging the Gap I- Human Rights indicators for the CRPD in support of a disability inclusive 2030 Agenda for Sustainable Development” will support the OHCHR among other things to elaborate the human rights indicators of the CRPD and policy guidelines for implementation of the SDGs guided by the CRPD.</p>

¹¹¹ <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=COM:2016:740:FIN>

	<i>National implementation and monitoring (art. 33)</i>			
77.	The Committee recommends that the European Union take measures to decouple the roles of the European Commission in the implementation and monitoring of the Convention, by removing it from the independent monitoring framework, so as to ensure full compliance with the Paris Principles, and ensure that the framework has adequate resources to perform its functions. The Committee also recommends that the European Union consider the establishment of an inter-institutional coordination mechanism and the designation of focal points in each European Union institution, agency and body.	Supportive measures	Monitoring	Done The Commission does not participate in meetings of the Framework any longer and is in the process of formalising its withdrawal.
D.	EU Institutions compliance with the Convention (as public administrations)			
	<i>Equality and non-discrimination (art. 5)</i>			

79.	<p>The Committee recommends that the European Union take the necessary measures to ensure that all employees of the European Union who are persons with disabilities, or who have family members with disabilities, receive the reasonable accommodation they need to enjoy their rights from the labour and related relationships on an equal basis with others.</p>	<p>Compliance with the UNCRPD obligations within EU institutions</p>	<p>Address employment matters of women and men with disabilities in the EU institutions</p> <p>Ensure that in the EU Institutions' selection and/or recruitment processes people with disabilities compete on an equal footing with non-disabled candidates, by improving the accessibility of test centres, IT tools and selection procedures and granting reasonable accommodation</p> <p>Improve accessibility of buildings, websites, events, ICT tools, applications and documents</p>	<p>Ongoing - Guidance on reasonable accommodation developed for persons with disabilities and specific training on disability issues launched in 2013 by DG HR. EPSO has a clear disability and inclusion policy, and reasonable accommodation procedure for selection tests for candidates with disabilities and special needs, aimed at ensuring equal opportunities, treatment and access to all its selections. EPSO performs accessibility, equality & diversity screenings of its selection procedures in order to identify any potential barrier that these candidates might encounter, to ensure they can fully demonstrate their abilities and compete on an equal basis with others. Selection board members in charge of assessing candidates' competencies receive a thorough training in which EPSO has introduced a new module on ethics, equality and diversity including reasonable accommodation in selection tests for candidates with disabilities and special needs. They learn how to accommodate candidates with special needs for each type of selection test and exercise, receiving practical tools in order to do so (e.g. guidelines on how to conduct an interview with candidates with disabilities). A very detailed 5+1 steps on reasonable accommodation procedure for selection tests has been developed according to the best international standards and was tested in 2015. Very positive results and high levels of satisfaction were reported. This new procedure will be fully implemented in 2017. In the context of the communication plan, aiming at attracting more talent with disabilities, EPSO is providing candidates with disabilities with the necessary information on their rights concerning reasonable accommodation of selection tests and how to request them.</p>
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	<i>Access to justice (art. 13)</i>			
81.	The Committee recommends that the European Union guarantee full access to justice and eliminate all barriers, including physical and procedural barriers, and those relating to legal capacity, in European courts.	Equality	Promote exchange of good practices on legal capacity	Ongoing Training provided by the Academy of European Law (ERA) has regularly addressed issues related to Legal capacity under the UNCRPD. In addition exchanges of good practices have been promoted.
	<i>Freedom of expression and opinion, and access to information (art. 21)</i>			
83.	The Committee recommends that the European Union take the necessary measures to ensure the full application of web accessibility standards to the websites of all European Union institutions and to offer information in sign languages, Braille, augmentative and alternative communication, and other accessible means, modes and formats of communication for persons with disabilities, including easy-to-read formats, in official interactions.	Compliance with the UNCRPD obligations within EU institutions	Improve accessibility of websites, events, ICT tools, applications and documents	Ongoing The EUROPA Information Providers Guide (IPG) requires website to be compliant with Web Content Accessibility Guidelines 2.0, level AA. Accessibility of the website and IT tools is constantly monitored and enhanced.
	<i>Education (art. 24)</i>			

85.	The Committee recommends that the European Union take the necessary measures to ensure that all students with disabilities receive the reasonable accommodation needed to enjoy their right to inclusive quality education in European schools. It also recommends that European schools implement a non-rejection policy on the grounds of disability and ensure inclusive, quality education for all students with disabilities.	Not in the strategy		Ongoing Despite not being specifically addressed in the Strategy, the Commission DG HR has initiated discussions with the Office of the Secretary-General of the European Schools and other stakeholders involved in the decision-making process in the European Schools system, on how to fully address this recommendation. Independently, the Board of Governors, the highest decision-making organ of the European Schools system, approved in 2016 the revision of the Policy on the Provision of Educational Support in the European Schools as well as its implementing measures.
	<i>Health (art. 25)</i>			
87.	The Committee recommends that the European Union revise its Joint Sickness and Insurance Scheme so as to comprehensively cover disability-related health needs in a manner that is compliant with the Convention.	Not in the Strategy		Ongoing Despite not being specifically addressed in the Strategy, the Commission DG HR together with PMO have started reflecting on how to address this recommendation. See Commission issued a Communication on "A better workplace for all: a strategy for diversity and inclusion".
	<i>Work and employment (Art.27)</i>			

89.	The Committee recommends that the European Union increase employment of persons with disabilities in all European Union institutions.	Compliance with the UNCRPD obligations within EU institutions	Address employment matters of women and men with disabilities in the EU institution	Ongoing - The Commission is in the process of finalisation of the Communication "A better workplace for all: a strategy for diversity and inclusion".
			Ensure that in the EU Institutions' selection and/or recruitment processes people with disabilities compete on an equal footing with non-disabled candidates, by improving the accessibility of selection procedures and granting reasonable accommodation	Done - EPSO developed a reasonable accommodation procedure for candidates with disabilities and special needs, based on expertise and best international practices. The Commission developed training on disability and reasonable accommodation for selection board members through a pilot project. In order to attract a great number of applicants with disabilities and allow the EU Institutions to recruit more staff with disabilities, EPSO has developed a targeted communication plan which clearly demonstrates EPSO's equality and diversity policy and practices and clarifies their rights and possible measures such as requesting reasonable accommodation for selection tests. It encourages candidates with disabilities to apply by sharing testimonials from colleagues from the EU Institutions with disabilities and by integrating and mainstreaming disability within EPSO's communication and projects. It allows EPSO to get closer to potential candidates with disabilities and to reach out to this target group via associations representing them in order to get to know them and attract them better.
			Improve accessibility of buildings, websites, events, ICT tools, applications and documents	Ongoing - In existing buildings actions aimed at improving accessibility are being executed. Due to high costs those improvements are tackled on a case-by-case approach. Six buildings have been specially selected on the criteria of frequentation by external public visitors and are receiving adaptations for people with disability.

	Follow-up and dissemination			
90.	The Committee requests the European Union to submit within 12 months and in accordance with article 35 (2) of the Convention information in writing on the measures taken to implement the Committee's recommendations set out in paragraphs 17, 29 and 77 above, regarding the declaration of competence, the European Accessibility Act and the monitoring mechanism, respectively.			<p>Ongoing</p> <p>The Committee requested feedback within a year on three key issues:</p> <ul style="list-style-type: none"> -the adoption of the European Accessibility Act (adopted) -the withdrawal of the Commission from the EU Framework (in progress) -The revision of the EU Declaration of Competences (in progress as an online document).
91.	The Committee requests the European Union to implement the recommendations of the Committee as contained in the present concluding observations. The Committee recommends that the European Union transmit the present concluding observations for consideration and action to its institutions, bodies, agencies and member States, as well as officials in relevant departments of the European Commission, members of relevant professional groups, such as education, medical and legal professionals, and the media, using modern social communication strategies.			<p>Ongoing</p> <p>Concluding Observations shared and discussed among EC Directorate Generals and other EU institutions like EP and EESC.</p> <p>Also they are being distributed and discussed in conferences and events and training s with members of relevant professional groups, such as education, medical and legal professionals, and the media.</p>

92.	The Committee strongly encourages the European Union to involve civil society organizations, in particular organizations of persons with disabilities, in the preparation of its periodic reports.			Ongoing The Commission is involving EU level disability organisations in the preparation of the revision of the Strategy and implementation of the Concluding Observations.
93.	The Committee requests the European Union to disseminate the present concluding observations widely, including to non-governmental organizations and representative organizations of persons with disabilities, persons with disabilities and members of their families, in national and minority languages, including sign language, and accessible formats, and to make them available on the Europa website on human rights.			Done The Commission has translated into all national languages the Concluding observations and is progressing in their dissemination.
Next report				

94.	<p>The Committee requests that the European Union submit its combined second and third periodic reports no later than 23 January 2021 and to include therein information on the implementation of the recommendations in the present concluding observations. The Committee invites the European Union to consider submitting the above-mentioned report under the Committee's simplified reporting procedure, according to which the Committee prepares a list of issues at least one year prior to the date on which the report is due. The written replies to the list of issues will constitute the report.</p>			<p>Will be done in due time.</p>
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13. ANNEX 4 - OTHER CONTRIBUTIONS TO THE PROGRESS REPORT

1. Contributions from EU institutions

The European Parliament and the European Economic and Social Committee prepared their own reports, not on the implementation of the Strategy itself, but on the implementation of the UN Committee's recommendations. The wealth of their recommendations relates to many areas already covered in the Strategy. However, both reports take the position that additional efforts could be required to achieve the goals proposed and even that the Strategy should not only be reviewed but revised.

2.1 European Parliament report on the implementation of the UN committee's recommendations

The EP report dated 9 June 2016 was prepared by MEP Helga Stevens and was adopted in plenary on 7th July (571 for, 30 against and 60 abstentions.).

The report contains numerous recommendations (almost 180) to put in place the Concluding Observations and supports some key on going processes, such as the European Accessibility Act, the European Disability Card and the Structural Funds (while requiring strengthening the implementation of disability issues).

It also contains some critical comments for example concerning the “lack of clear EU strategy to implement the UNCRPD”. It shows the great expectations that the EP has on the implementation of the Concluding Observations and the progress report of the Commission. The EP report calls for "a comprehensive revision of the European Disability Strategy" and asks to bring it in line with the Convention. In addition, it calls the Commission and the Member States to make progress in its implementation. The report contains specific suggestions concerning issues like gender, information society, external action, statistics and indicators, involvement of disabled persons, internal implementation in the EU institutions, accession to the Optional Protocol. The EP also calls for a more global EU Strategy for disabled persons that would be endorsed at the highest level.

2.2 EESC opinion on the implementation of the UN committee's recommendations

The EESC Opinion is still at the draft level and is being discussed in the Section for Employment, Social Affairs and Citizenship. It is not expected to be ready before the end of 2016.

While the draft document acknowledges progress in some key areas, notably in the field of accessibility, it indicates that “*the EC has started carrying out a soft review of the EDS, and so the EESC urges the EC to take stock of developments in disability rights and broaden the*

scope of the EDS by introducing more areas of action and linking it to the review and revision of policies, programmes and funding instruments”. This shows that a profound review of the strategy is also expected by the EESC.

2. Consultation and involvement of civil society

In addition to the public consultation, civil society organisations working on social and employment issues are regularly invited to participate in strategic dialogue meetings to give views on current or future EU policies, discuss, exchange practices and input into policy work. This civil dialogue includes EU-wide networks working to promote and protect the rights of people with disabilities. It also ensures that disability concerns are mainstreamed in social and employment policies.

A strategic dialogue meeting was notably organised immediately after the publication by the UN Committee of the UN Concluding Observations. In this meeting, disability NGOs were invited to present concrete suggestions for follow-up to the UN recommendations.

Among the suggestions put forward during this meeting, NGOs underlined the need to organise a structured dialogue with all Commission's DGs to design and implement a work plan on the follow-up to the recommendations. NGOs called for a better mainstreaming of disability concerns in a number of areas, including education, the refugee crisis, legal capacity or access to justice. The Commission was also invited to look into the implementation of the partnership principle in monitoring the ESIF, and to reflect on how to provide more guidance to Member States to stop and remedy the adverse impact of budgetary consolidation measures on people with disabilities.

14. ANNEX 5 - EU LEGISLATIVE ACTS WHICH REFER TO MATTERS GOVERNED BY THE UN CONVENTION

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INTRODUCTION

The United Nations Convention on the Rights of Persons with Disabilities (later referred to as the UN Convention), adopted by the UN General Assembly on 13 December 2006, is the first international legally binding instrument setting minimum standards for the protection and promotion of the human rights of persons with disabilities. As of October 2016, it has 168 parties, including 27 Member States of the EU (all except Ireland which is finalizing the ratification process) and the EU itself. UN Convention is therefore the first human rights convention in the history to which the EU has become a party.

The Council adopted Decision 2010/48/EC for the conclusion of the UN Convention on 26 November 2009, and the EU formally acceded to it on 23 December 2010. The UN Convention finally entered into force for the EU on 22 January 2011, and from that moment the Union is formally committed to upholding and protecting the rights of persons with disabilities as enshrined in the UN Convention.

The conclusion of the UN Convention was for the EU an opportunity to identify the parts of its *acquis* which contribute to the protection of the rights of persons with disabilities. The Appendix to Annex II of Decision 2010/48/EC presents EU acts referring to matters governed by the UN Convention and is illustrating the extent of the area of competence of the Union.

Since then, EU legislation in this area has been further developed. The publication of the Progress Report on the implementation of the European Disability Strategy (2010-2020) provides the occasion to publish a comprehensive and up-to-date overview of EU legal acts referring to matters governed by the UN Convention. This overview also includes information on acts which have been reviewed or repealed.

The EU's growing commitment to the promotion and protection of the rights of persons with disabilities can be seen in an increasing number of adopted legislative acts that relate to matters governed by the UN Convention. The present document compiles and tracks all major EU legal documents, such as regulations, directives and decisions of the EU institutions that have particular relevance to persons with disabilities and their rights, and thus provide information about the EU competence in this field.

All relevant documents already included in the initial Declaration of Competence of 2009 have been indicated by means of a footnote allowing to easily identify new legal acts.

EU LEGISLATIVE ACTS WHICH REFER TO MATTERS GOVERNED BY THE UN CONVENTION

— REGARDING ACCESSIBILITY

- Council Decision **79/505/EEC** of 8 May 1979 on the conclusion of the Protocol to the Agreement on the importation of educational, scientific and cultural materials (OJ L 134, 31.5.1979, p. 13)

Contracting Parties to the Agreement undertake not to apply national levies on articles for blind and other disabled persons.

- Council Directive **89/665/EEC** of 21 December 1989 on the coordination of the laws, regulations and administrative provisions relating to the application of review procedures to the award of public supply and public works contracts (OJ L 395, 30.12.1989, p. 33), as amended by Directive 2007/66/EC of the European Parliament and of the Council of 11 December 2007 amending Council Directives 89/665/EEC and 92/13/EEC with regard to improving the effectiveness of review procedures concerning the award of public contracts (OJ L 335, 20.12.2007, p. 31)¹¹²
- Council Directive **92/13/EEC** of 25 February 1992 coordinating the laws, regulations and administrative provisions relating to the application of Community rules on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (OJ L 76, 23.3.1992, p. 14), as amended by Directive 2007/66/EC of the European Parliament and of the Council of 11 December 2007 amending Council Directives 89/665/EEC and 92/13/EEC with regard to improving the effectiveness of review procedures concerning the award of public contracts (OJ L 335, 20.12.2007, p. 31)¹¹³

Directive 89/665/EEC requires EU countries to ensure that decisions on the award of public contracts and concessions, as well as preliminary procedural decisions in that context, are reviewed quickly and effectively in the event they have infringed EU public procurement law. Directive 92/13/ECC applies the same provisions to the award of public contracts and concessions in the utilities sector, as well as preliminary procedural decisions. Both Directive 89/665/EEC and Directive 92/13/EEC were amended by Directive 2007/66/EC but no new references on disability were added. However, previous references continue to apply.

- Council Directive **1999/35/EC** of 29 April 1999 on a system of mandatory surveys for the safe operation of regular ro-ro ferry and high-speed passenger craft services (OJ L 138, 1.6.1999, p. 1)

¹¹² This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and with further amendments is still in force.

¹¹³ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and with further amendments is still in force.

It provides for mandatory surveys of regular roll-on-roll-off ferries and high-speed passenger craft using EU ports, to ensure that they satisfy applicable safety standards. These standards include obligation to provide passengers with information about services and assistance available to people with disabilities, and obligation to organise safety training for personnel providing direct safety assistance to elderly or disabled passengers.

- Council Regulation (**EC, Euratom**) No **1700/2003** of 22 September 2003 amending Regulation (EEC, Euratom) No 354/83 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 243, 27.9.2003, p. 1)

To increase transparency within the EU, Regulation opens historical archives of the Communities to the public. It imposes obligation on the archives of European institutions to meet the special needs of people with visual impairments.

- Council Directive **2004/81/EC** of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities (OJ L 261, 6.8.2004, p. 19)

The Directive sets out the procedure for issuing and renewing the residence permit and the conditions for non-renewal or withdrawal, as well as the treatment of victims prior to and after being granted a permit. Member States are obliged to provide necessary assistance to persons with special needs.

- Directive **2005/40/EC** of the European Parliament and of the Council of 7 September 2005 amending Council Directive 77/541/EEC on the approximation of the laws of the Member States relating to safety belts and restraint systems of motor vehicles (OJ L 255, 30.9.2005, p. 146)

Directive makes it compulsory to fit safety belts in all kinds of vehicles, thereby improving their safety. Provisions allow Member States to set differentiated requirements regarding seatbelts for people with disabilities.

- Directive **2006/42/EC** of the European Parliament and of the Council on machinery, amending Directive 95/16/EC (OJ L 157, 9.6.2006, p. 24)

It governs the harmonisation of essential health and safety requirements for machinery at EU level, including the provisions for the accessibility of lifts by the disabled persons.

- Directive **97/67/EC** of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of services (OJ L 15, 21.1.1998, p. 14), as amended by Directive 2002/39/EC of the European Parliament and of the Council of 10

June 2002 with regard to the further opening to competition of Community postal services (OJ L 176, 5.7.2002, p. 21), and as amended by Directive 2008/6/EC of the European Parliament and of the Council of 20 February 2008 with regard to the full accomplishment of the internal market of Community postal services (OJ L 52, 27.2.2008, p. 3)¹¹⁴

It sets out common rules for the development of the internal market of Community postal services and states that these services shall not be discriminatory. Further explanation is given in the amending it Directive 2008/6/EC (listed below).

- Directive **2008/6/EC** of the European Parliament and of the Council of 20 February 2008 amending Directive 97/67/EC (as amended by Directive 2002/39/EC) with regard to the full accomplishment of the internal market of Community postal services (OJ L 52, 27.2.2008, p. 3) EN 27.1.2010 Official Journal of the European Union L 23/57

It sets out the rules that EU countries must implement to complete the EU's internal market for postal service, including their accessibility and quality. This Directive amends Directive 97/67/EC redefining among others the scope of its Article 12 that requires Member States to ensure universal access to postal services to all citizens on a non-discriminatory basis. Directive 2008/6/EC more precisely states that blind and partially-sighted persons can be granted free access to postal services.

- Directive **2009/18/EC** of the European Parliament and of the Council of 23 April 2009 establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Council Directive 1999/35/EC and Directive 2002/59/EC of the European Parliament and of the Council (OJ L 131, 28.5.2009, p. 114–127)

It provides common rules on how to investigate accidents in the maritime transport within the EU and contains several provisions on victims or seriously injured.

- Directive **2009/45/EC** of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships (OJ L 163, 25.6.2009, p. 1), repealing the Directive 2003/24/EC of the European Parliament and of the Council of 14 April 2003 and the Council Directive 98/18/EC on safety rules and standards for passenger ships (OJ L 123, 17.5.2003, p. 18)

It concerns passenger ships operating in domestic sea areas of the European Union, and sets some safety rules and common standards for them. Under its provisions, Member States are obliged to prescribe specific rules on safety and accessibility for passengers with reduced mobility.

¹¹⁴ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and with further amendments is still in force.

- Directive **2002/22/EC** of the European Parliament and of the Council of 7 March 2002 on universal service and users' rights relating to electronic communications networks and services (Universal Service Directive) (OJ L 108, 24.4.2002, p. 51)¹¹⁵

It ensures specific rules for the provision of electronic communications services within the EU. In this context, it sets out obligations for the supply of certain mandatory services and lays down the rights of users and the corresponding obligations on the companies providing electronic communications networks and services available to the public. As regards disability, it allows national regulatory authorities to impose obligations on undertakings in order to ensure accessibility of public pay telephones to disabled users, elderly users and those with special social needs, including access to emergency services, directory enquiry services and directories.

- Directive **2009/136/EC** of the European Parliament and of the Council of 25 November 2009, amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services, Directive 2002/58/EC concerning the processing of personal data and the protection of privacy in the electronic communications sector and Regulation (EC) No 2006/2004 on cooperation between national authorities responsible for the enforcement of consumer protection laws (OJ L 337, 18.12.2009, p. 11)

The Directive keeps the obligations of Directive 2002/22/EC as regards persons with disabilities, and therefore contains provisions allowing Member States to take specific measures to ensure that access to and affordability of electronic communication services are guaranteed for disabled users. It also imposes an obligation on the Member States to ensure the accessibility of the emergency services, including the '112' phone number for all disabled users.

- Directive **2002/21/EC** of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive) (OJ L 108, 24.4.2002, p. 33)¹¹⁶

By setting a common regulatory framework for electronic communications networks and services, it seeks to strengthen competition in the sector, stimulate investment and foster freedom of choice for consumers and enable them to benefit from innovative services, quality and lower rates. It obliges Member States to ensure that disabled users derive maximum benefit in terms of choice, price, and quality. Those provisions are further extended in Directive 2009/140/EC (listed below).

¹¹⁵ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and with further amendments is still in force.

¹¹⁶ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and with further amendments is still in force.

- Directive **2009/140/EC** of the European Parliament and of the Council of 25 November 2009 amending Directives 2002/21/EC on a common regulatory framework for electronic communications networks and services, 2002/19/EC on access to, and interconnection of, electronic communications networks and associated facilities, and 2002/20/EC on the authorisation of electronic communications networks and services (OJ L 337, 18.12.2009, p. 37–69)

It reforms the regulatory framework for electronic communications fostering all national regulators towards stronger market competition. It also introduces measures to ensure that users with disabilities derive maximum benefits in terms of choice, price and quality of telecommunications, which should take account of accessibility needs. Directive 2009/140/EC introduced many amendments to Directive 2002/21/EC, including to its Article 1, adding the information that this Directive wants to harmonize certain aspects of terminal equipment to facilitate access for disabled users. Original Article 8 of Directive 2002/21/EC obliged Member States to ensure that disabled users derive maximum benefit in terms of choice, price, and quality. The amendment extends this provision and adds also elderly users, and users with special social needs. What is more, clear reference to the Charter of Fundamental Rights of the European Union and the UN Convention has been made in the text of the amended Directive.

- Directive **2007/46/EC** of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles (Framework Directive) (OJ L 263, 9.10.2007, p. 1)¹¹⁷

It provides EU countries with a common legal framework for the approval of motor vehicles and their trailers and of systems, components and separate technical units intended for these vehicles. It applies to cars, vans, trucks, buses and coaches. It includes provisions on adaptations needed for the type-approval of vehicles intended for persons with disabilities that are further developed in Regulation (EC) No 78/2009 of the European Parliament and of the Council of 14 January 2009 on the type-approval of motor vehicles with regard to the protection of pedestrians and other vulnerable road users (OJ L 35, 4.2.2009, p. 1) that is listed below.

- Regulation (EC) No **78/2009** of the European Parliament and of the Council of 14 January 2009 on the type-approval of motor vehicles with regard to the protection of pedestrians and other vulnerable road users, amending Directive 2007/46/EC and repealing Directives 2003/102/EC and 2005/66/EC (OJ L 35, 4.2.2009, p. 1)

¹¹⁷ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and with further amendments is still in force.

It establishes a set of technical requirements for the motor vehicles everywhere throughout the EU, in order to better protect pedestrians, including those with reduced mobility. Vehicles meeting these requirements should be clearly identified.

- Regulation (EC) No **661/2009** of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor (OJ L 200, 31.7.2009, p. 1–24)¹¹⁸

It sets out the technical requirements and the procedures to ensure that new motor vehicles meet EU safety and energy efficiency standards. Vehicles of Class I, as defined in the Regulation, require the mandatory fitting of certain accessibility features. Vehicles constructed with areas for standing passengers, to allow frequent passenger movement, must be accessible for wheelchair users and other passengers with reduced mobility.

- Regulation (EC) No **1073/2009** of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006 (OJ L 300, 14.11.2009, p. 88–105)

It clarifies and simplifies the rules for the international carriage of passengers by road within the territory of the EU and the conditions under which non-resident carriers may operate national transport services within an EU country. Member States shall have national requirements relating to the carriage of certain categories of passengers, including persons with reduced mobility and are obliged to apply them.

- Directive **2010/64/EU** of the European Parliament and of the Council of 20 October 2010 on the right to interpretation and translation in criminal proceedings (OJ L 280, 26.10.2010, p. 1)

It establishes minimum EU-wide rules on the right to interpretation and translation in criminal proceedings for all people, including those with disabilities, even if they are not explicitly mentioned.

- Directive **2011/36/EU** of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, replacing Council Framework Decision 2002/629/JHA (OJ L 101, 15.4.2011, p. 1)

¹¹⁸ Regulation (EC) No 661/2009 repeals the Directive **2001/85/EC** of the European Parliament and of the Council of 20 November 2001 relating to special provisions for vehicles used for the carriage of passengers comprising more than eight seats in addition to the driver's seat (OJ L 42, 13.2.2002, p. 1). This one was already mentioned in the initial *Declaration of Competence* and referred to disability. According to Directive 2001/85/EC, certain vehicles were required to have accessibility features to allow the use by persons with disabilities.

It lays down minimum common rules for determining offences of trafficking in human beings and punishing offenders. It also provides for measures to better prevent this phenomenon and to strengthen the protection of victims, including assistance to those with special needs.

- Directive **2011/92/EU** of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, replacing Council Framework Decision 2004/68/JHA (OJ L 335, 17.12.2011, p. 1)

It adopts legislation aimed at combating sexual offences committed against children that covers as sanctions, prevention, and assistance for victims. Specific provisions are provided concerning the sexual abuse and exploitation of children with disabilities.

- Directive **2011/95/EU** of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (OJ L 337, 20.12.2011, p. 9–26)

This Directive ensures that Member States apply common criteria for the identification of persons genuinely in need of international protection, and that a minimum and equal level of benefits is available for those persons in all Member States. While implementing it, countries shall take into account the specific situation of vulnerable persons such as among others disabled people, elderly people, or persons with mental disorders, and shall provide them appropriate healthcare and the same eligibility conditions for granting international protection as to other applicants.

- Directive **2011/99/EU** of the European Parliament and of the Council of 13 December 2011 on the European protection order (OJ L 338, 21.12.2011, p. 2)

It allows victims of violence, notably domestic violence and stalking, to continue to enjoy protection from offenders when they move to another EU country. Special consideration should be given to the rights of victims with disabilities.

- Regulation (EU) No **305/2011** of the European Parliament and of the Council of 9 March 2011 laying down harmonised conditions for the marketing of construction products, repealing Council Directive 89/106/EEC (OJ L 88, 4.4.2011, p. 5)

The Regulation simplifies the legal framework applicable to construction products within the EU and defines criteria for assessing the performance of such products. It includes accessibility needs and use for disabled persons as a requirement to take into consideration in the design of Construction works.

- Directive **2012/13/EU** of the European Parliament and of the Council of 22 May 2012 on the right to information in criminal proceedings (OJ L 142, 1.6.2012, p. 1)

The Directive sets out minimum standards for all EU countries regardless of a suspect's legal status, citizenship or nationality on the right to information on his/her procedural rights and the charges against him/her. It stipulates that information in criminal proceedings should be provided in simple and accessible language, if suspected or accused persons have specific needs.

- Directive **2012/29/EU** of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA (OJ L 315, 14.11.2012, p. 57)

It reinforces existing national measures with EU-wide minimum standards on the rights, support and protection of victims of crime in every EU country. These rights include provision of accessible information to persons with disabilities which may have specific needs.

- Commission Decision **2012/464/EU** of 23 July 2012 amending Decisions 2006/861/EC, 2008/163/EC, 2008/164/EC, 2008/217/EC, 2008/231/EC, 2008/232/EC, 2008/284/EC, 2011/229/EU, 2011/274/EU, 2011/275/EU, 2011/291/EU and 2011/314/EU concerning technical specifications for interoperability (notified under document C(2012) 4985) (OJ L 217, 14.8.2012, p. 20–45)

By this decision, the European Railway Agency is being given mandate to ensure that the technical specifications for interoperability within the EU are adapted to technical progress, market trends and to the social requirements. The Agency is responsible among others for checking whether the rails are safe and accessible to persons with reduced mobility.

- Regulation (EU) **No 1025/2012** of the European Parliament and of the Council of 25 October 2012 on European standardisation, amending Council Directives 89/686/EEC and 93/15/EEC, and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and of the Council, and repealing Council Decision 87/95/EEC and Decision No 1673/2006/EC of the European Parliament and of the Council (OJ L 316, 14.11.2012, p. 12-33)

It is the legal basis for the Union to use European standards for products and services in support of Union legislation and policies. Furthermore, it confirms that the European standards must be compliant with the UN Convention and set obligations to various stakeholders, including DPOs, on their active involvement in the process of setting standards.

- Directive **2013/32/EU** of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection (OJ L 180, 29.6.2013, p. 60–95)

It sets up EU-wide asylum procedures for granting and withdrawing international protection, including refugee status and the protection given to people who are not refugees but who would risk serious harm if returned to their country of origin. EU countries must ensure that applicants have their applications examined individually, objectively and impartially, and that the applicants in need of special assistance (due to their age, gender, sexual orientation, gender identity, disability, serious illness, mental disorders or as a consequence of torture, rape or other serious forms of psychological, physical or sexual violence) are granted effective access to all procedures and necessary support.

- Directive **2013/33/EU** of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection (OJ L 180, 29.6.2013, p. 96–116)

It ensures equal treatment and improved reception conditions for applicants for international protection in the EU. It also contains some provisions for vulnerable persons, stating that Member States in national law implementing this Directive shall take into account the specific situation of vulnerable persons such as among others disabled people, persons with serious illnesses, or persons with mental disorders.

- Directive **2013/48/EU** of the European Parliament and of the Council of 22 October 2013 on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while deprived of liberty (OJ L 294, 6.11.2013, p. 1)

It ensures that suspects and accused persons in criminal proceedings and requested persons in European arrest warrant proceedings have access to a lawyer and have the right to communicate while deprived of liberty. It includes provision on specific needs of vulnerable accused persons.

- Regulation (EU) No **1287/2013** of the European Parliament and of the Council of 11 December 2013 establishing a Programme for the Competitiveness of Enterprises and small and medium-sized enterprises (COSME) (2014 - 2020) and repealing Decision No 1639/2006/EC (OJ L 347, 20.12.2013, p. 33)

It simplifies the access of SMEs to finance and markets, provides a simplification of regulation and the promotion of entrepreneurship. Under its provisions, attention should be paid to entrepreneurs from socially disadvantaged or vulnerable groups, such as persons with disabilities.

- Regulation (EU) No **1288/2013** of the European Parliament and of the Council of 11 December 2013 establishing 'Erasmus+': the Union programme for education, training, youth and sport and repealing Decisions No 1719/2006/EC, No 1720/2006/EC and No 1298/2008/EC (OJ L 347, 20.12.2013, p. 50)

It establishes a program allowing over 4 million young Europeans to study, train, gain work experience and volunteer abroad. Its special provision obliges to ensure vulnerable youngsters access to education and benefits.

- Regulation (EU) No **1291/2013** of the European Parliament and of the Council of 11 December 2013 establishing Horizon 2020 - the Framework Programme for Research and Innovation (2014-2020) and repealing Decision No 1982/2006/EC (OJ L 347, 20.12.2013, p. 104)

It establishes Horizon 2020, setting out the rules covering EU support for research and innovation. Research on independent living of disabled and the wellbeing of all is envisaged.

- Regulation (EU) No **1295/2013** of the European Parliament and of the Council of 11 December 2013 establishing the Creative Europe Programme (2014 to 2020), repealing Decisions No 1718/2006/EC, No 1855/2006/EC and No 1041/2009/EC (OJ L 347, 20.12.2013, p. 221)

It launches the Creative Europe Programme, aiming at promoting Europe's cultural and linguistic diversity and boosting its competitiveness in the cultural, audio-visual and creative sectors. One of CEP's objectives is to promote the mobility of artists with a disability.

- Regulation (EU) No **1303/2013** of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund, repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320)

It sets down the common principles, rules and standards for the operation of the five European Structural and Investment Funds for the period 2014-2020. Regulation prohibits discrimination on the grounds of disability in the implementation of the Funds and mandates accessibility.

- Regulation (EU) No **1301/2013** of the European Parliament and of the Council of 17 December 2013 on the European Regional Development Fund and on specific provisions concerning the Investment for growth and jobs goal, repealing Regulation (EC) No 1080/2006 (OJ L 347, 20.12.2013, p. 289)

It sets down principles, rules and standards for the implementation of European Regional Development Fund and the scope of its investment for growth, jobs and territorial cooperation in 2014-2020. The infrastructures should promote social inclusion of marginalised groups. Transition from institutional to community-based care is an investment priority.

- Regulation (EU) No 1304/2013 of the European Parliament and of the Council of 17 December 2013 on the European Social Fund, repealing Council Regulation (EC) No 1081/2006 (OJ L 347, 20.12.2013, p. 470)

It sets down principles, rules and standards for the implementation of the ESF in 2014-2020, including in the areas of social inclusion, non-discrimination inter alia of disabled persons and promotion of accessibility.

- Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Connecting Europe Facility, amending Regulation (EU) No 913/2010 and repealing Regulations (EC) No 680/2007 and (EC) No 67/2010 (OJ L 348, 20.12.2013, p. 129)

It sets the conditions, methods and procedures for providing funding to support projects of interest to the EU in the infrastructure sectors of transport, telecommunications and energy. A specific budget line is foreseen for the improvement of disabled persons' accessibility to transport facilities.

- Regulation (EU) No 1381/2013 of the European Parliament and of the Council of 17 December 2013 establishing a Rights, Equality and Citizenship Programme for the period 2014 to 2020 (OJ L 354, 28.12.2013, p. 62)

This regulation establishes a new EU programme on rights, equality and citizenship for 2014-2020, which aims to protect and promote people's specific rights and freedoms under EU law. A specific objective of the programme is to promote and protect the rights of persons with disabilities.

- Council Regulation (EU) No 216/2013 of 7 March 2013 on the electronic publication of the Official Journal of the European Union (OJ L 69, 13.3.2013, p. 1)

It ensures better access for the public to EU legislation and related notices, as considers the EU's Official Journal in its electronic form as a legally binding document. It also recalls the EU's obligations under the UN Convention to make information accessible to persons with disabilities.

- Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement, repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65)

The directive sets out rules on the use of public contracts for the provision of works, supplies or services by companies or individuals and the exemptions which can be applied. The legislation specifies that when national authorities use public procurement, they must treat all applicants equally and not discriminate between them. It also stipulates that technical

specifications laying down the characteristics of the work to be performed shall include accessibility criteria for persons with disabilities.

- Directive **2014/25/EU** of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors, repealing Directive 2004/17/EC (OJ L 94, 28.3.2014, p. 243)

Directive sets out rules on the use of public contracts by companies or individuals in the water, energy, transport and postal sectors to obtain works, supplies or services. It takes account of the specific features of these sectors which play key role in meeting society's needs, including the integration of disabled people. It also stipulates that technical specifications laying down the characteristics of the work to be performed shall include accessibility criteria for persons with disabilities.

- Directive **2014/35/EU** of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits (OJ L 96, 29.3.2014, p. 357–374)

The directive creates uniform conditions throughout the EU for the sale of electrical equipment designed for use within certain voltage limits. It covers all health and safety risks, thus ensuring that electrical equipment is used safely and for the applications for which it was made. The harmonised standards relevant to this Directive should also take into account, among others, the UN Convention.

- Directive **2014/53/EU** of the European Parliament and of the Council of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment, repealing the Directive 1999/5/EC (OJ L 153, 22.5.2014, p. 62)

It sets out rules for putting radio equipment on the EU's internal market, including health and safety requirements. The Directive's specific provisions related to users with disabilities, and set out that the radio equipment can support accessibility features for disabled people.

- Council Regulation (EU) **No 729/2014** of 24 June 2014 on denominations and technical specifications of euro coins intended for circulation (OJ L 194, 2.7.2014, p. 1–7)

To permit the smooth circulation of coins in the Eurozone, it lays down the denominations and technical specifications of euro coins. It states that consultations with consumer associations and the European Blind Union were carried out to take into account the specific requirements of important categories of coin users. According to it, in order to facilitate acceptance of the coinage system by users, easy distinction between coins through visual and tactile characteristics needs to be guaranteed.

- Commission Regulation (EU) No **1300/2014** of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility (OJ L 356, 12.12.2014, p. 110)

It provides technical specifications and common standards relating to accessibility of the rail system within the EU for persons with disabilities or reduced mobility.

- Regulation (EU) No **223/2014** of the European Parliament and of the Council of 11 March 2014 on the Fund for European Aid to the Most Deprived (OJ L 72, 12.3.2014, p. 1–41)

It establishes the 2014-2020 Fund for European Aid to the Most Deprived that supports EU member countries' actions to reduce poverty by providing non-financial assistance such as food and clothing and other essentials to the most materially-deprived. It aims at fighting poverty and marginalization of the most vulnerable groups and at ensuring social inclusion together with the Member States. Aid should be available to all, regardless of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

- Regulation (EU) No **254/2014** of the European Parliament and of the Council of 26 February 2014 on a multiannual consumer programme for the years 2014-20, repealing Decision No 1926/2006/EC (OJ L 84, 20.3.2014, p. 42)

It provides consumers with information, free advice and assistance when they make purchases within the EU, to enable them to take full advantage of the European single market wherever, whatever or however they buy. Vulnerable consumers shall be provided accessible information.

- Regulation (EU) No **910/2014** of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market, repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73)

It creates a new system for secure electronic interactions across the EU between businesses, citizens and public authorities. It contains a requirement on accessibility.

- Directive (EU) **2016/343** of the European Parliament and of the Council of 9 March 2016 on the strengthening of certain aspects of the presumption of innocence and of the right to be present at the trial in criminal proceedings (OJ L 65, 11.3.2016, p. 1–11)

By establishing common minimum rules on the protection of procedural rights of suspects and accused persons, this Directive aims to strengthen the trust of Member States in each other's criminal justice systems and thus to facilitate mutual recognition of decisions in criminal matters and the free movement of citizens. The Member States should take into account

particular needs of vulnerable persons (due to their age, mental or physical condition or disability) with regard to both their presence in the trial and effective participation and understanding of all proceedings.

- Regulation **(EU) 2016/424** of the European Parliament and of the Council of 9 March 2016 on cableway installations and repealing Directive 2000/9/EC (OJ L 81, 31.3.2016, p. 1–50)

Directive defines a set of essential safety requirements at Community level, as well as construction, inspection and assembly procedures to apply to cableways for the conveyance of passengers and in this way to ensure free movement of such products in the internal market. It contains an obligation to provide safe use by children and people with reduced mobility if the installation is designed for the transport of such persons.

- Directive **(EU) 2016/797** of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union (OJ L 138, 26.5.2016, p. 44–101)

Directive sets out the conditions to be met to achieve interoperability within the European rail system, in particular metros, trams and trains, including their design, construction, placing in service, upgrading and renewing. It also directly refers to the UN Convention and its accessibility provisions, and therefore requires Member States to promote a railway system that will be accessible for all and to ensure persons with disabilities' access to all rail services on an equal basis with others.

- Directive **(EU) 2016/800** of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings (OJ L 132, 21.5.2016, p. 1–20)

It establishes procedural safeguards to ensure that children, who are suspects or accused in criminal proceedings, are able to understand and follow those proceedings and to exercise their right to a fair trial, and to prevent children from re-offending and foster their social integration. They should be granted individual assistance that takes into account the child's personality, maturity, economic, social and family background, and any specific vulnerability such as learning disabilities and communication difficulties. Furthermore, detained children should have right to education and training, including when they have physical, sensory or learning disabilities.

- Directive **(EU) 2016/2102** of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (OJ L 327, 2.12.2016, p. 1–15)

The Directive aims at making the websites and mobile apps of public sector bodies more accessible, by laying down accessibility requirements, and providing a better perception, understanding, navigation and interaction. It also means better access to digital public services for all, and especially for people with disabilities, mainly persons with vision or hearing impairments. The Directive directly refers to the UN Convention and its requirements of reasonable accommodation.

— IN THE FIELD OF INDEPENDENT LIVING AND SOCIAL INCLUSION, WORK AND EMPLOYMENT

- Council Decision **83/516/EEC** of 17 October 1983 on the tasks of the European Social Fund (OJ L 289, 22.10.1983, p. 38)

Decision lays down some activities that can be financed by the ESF, such as the vocational trainings, or the promotion of employment and geographical mobility of all, including people with disabilities.

- Council Directive **89/654/EEC** of 30 November 1989 concerning the minimum safety and health requirements for the workplace (first individual directive within the meaning of Article 16 (1) of Directive 89/391/EEC) (OJ L 393, 30.12.1989, p. 1)

It provides rules applicable to the workplace, in order to protect the health and safety of workers. It indicates that workplaces must be organized to take account of disabled workers, especially regarding accessibility of environment.

- Council Directive **2000/78/EC** of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ L 303, 2.12.2000, p. 16)¹¹⁹

It ensures equal treatment of individuals in the EU at the workplace, regardless of their religion or belief, disability, age or sexual orientation.

- Council Directive **2003/96/EC** of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity (OJ L 283, 31.10.2003, p. 51)¹²⁰

¹¹⁹ This document was already mentioned in the initial *Declaration of Competence*, in the Annex II of the Council decision of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

¹²⁰ This document was already mentioned in the initial *Declaration of Competence*, in the Annex II of the Council decision of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

It sets out principles and minimum levels of the energy taxation in the EU, including the possibility of a total or partial exemption for electricity from renewable sources and biofuels. In addition, differentiated rates of taxation, not smaller than the minima set in the Directive, may be applied by Member States for use of energy by/for people with disabilities.

- Council Decision **2005/600/EC** of 12 July 2005 on Guidelines for the employment policies of the Member States (OJ L 205, 6.8.2005, p. 21)

It contains 8 guidelines for reaching higher employment in the EU, for example by improving inclusion of people at a disadvantage (among others disabled), greater investment in human resources, adaptation of education and training systems and more flexibility combined with job security.

- Council Decision **2006/6/EC** and Euratom of 12 December 2005 adopting the rules laying down the procedure for granting financial aid to supplement the pension of a surviving spouse who has a serious or protracted illness or who is disabled (OJ L 5, 10.1.2006, p. 15)

It provides for financial support for the surviving spouses of EU civil servants, who are ill or disabled.

- Directive **2006/54/EC** of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (OJ L 204, 26.7.2006, p. 23)¹²¹

Directive prohibits discrimination between men and women concerning the conditions of recruitment, access to employment, dismissals, training, promotion and membership of workers' or employers' organizations. Social security schemes for workers need to address needs of vulnerable groups.

- Directive **2008/104/EC** of the European Parliament and of the Council of 19 November 2008 on temporary agency work (OJ L 327, 5.12.2008, p. 9)

It improves the protection of temporary agency workers working within the EU by ensuring equal treatment concerning their basic working and employment conditions. It prohibits disability-based discrimination with regard to temporary workers.

- Regulation (EC) No **987/2009** of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems (OJ L 284, 30.10.2009, p. 1)

¹²¹ This document was already mentioned in the initial *Declaration of Competence*, in the Annex II of the Council decision of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

The Regulation specifies the legislation of which Member State is to apply in a given case in the context of social security systems. The principle of e-accessibility for disabled and elderly persons is to be taken into account in exchanges between Member States' authorities and persons covered by the Regulation.

- Regulation (EC) No 988/2009 of the European Parliament and of the Council of 16 September 2009 amending Regulation (EC) No 883/2004 on the coordination of social security systems, and determining the content of its Annexes (OJ L 284, 30.10.2009, p. 43)

The Regulation aims at coordinating social security legislation and systems between Member States, and among others covers disability allowances.

- Council Regulation (EC) No 1186/2009 of 16 November 2009 setting up a Community system of reliefs from customs duty (OJ L 324, 10.12.2009, p. 23–57)

It allows for the granting of relief from the duties that would normally be payable on goods both imported into and exported out of the EU, setting out the cases in which relief from import and export duties can be granted. It contains a whole chapter on goods for charitable or philanthropic organisations, such as articles intended for the blind and other handicapped persons that can benefit from relief.

- Commission Implementing Regulation (EU) No 1224/2011 of 28 November 2011 for the purposes of Articles 66 to 73 of Council Regulation (EC) No 1186/2009 setting up a Community system of reliefs from customs duty (OJ L 314, 29.11.2011, p. 14–19)

This Regulation lays down provisions for the implementation of Articles 66 to 73 of Regulation (EC) No 1186/2009. The provisions on disability were kept and the Regulation (EU) No 1224/2011 contains among others some specific provisions on the admission free of import duties of an article for the use of persons with disabilities.

- Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ L 347, 11.12.2006, p. 1), as amended by Council Directive 2009/47/EC of 5 May 2009 as regards reduced rates of value added tax (OJ L 116, 9.5.2009, p. 18)¹²²

It codifies into one piece of legislation all the information about the EU's common system of value added tax (VAT), thus clarifying EU VAT legislation currently in force. It states that reduced tax rates may be applied among others to medical equipment, aids and other appliances normally intended to alleviate or treat disability, for the exclusive personal use of the disabled or to domestic care services such as home help and care of the young, elderly, sick or disabled.

¹²² This document was already mentioned in the initial *Declaration of Competence*, in the Annex II of the Council decision of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

- Council Directive **2009/47/EC** of 5 May 2009 amending Directive 2006/112/EC as regards reduced rates of value added tax (OJ L 116, 9.5.2009, p. 18)

The Directive amends Council Directive 2006/112/EC as regards reduced rates of value added tax, and keeps all the previous references to disability.

- Directive **2009/72/EC** of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC (OJ L 211, 14.8.2009, p. 55)

It obliges the Member States to protect vulnerable customers' (who must be defined at the national level and may include disabled persons) access to energy and protect them from energy poverty, especially in critical times.

- Directive **2009/73/EC** of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas, and repealing Directive 2003/55/EC (OJ L 211, 14.8.2009, p. 94)

It obliges the Member States to protect vulnerable customers' (who must be defined at the national level and may include disabled person) access to energy and protect them from energy poverty, especially in critical times.

- Council Directive **2009/132/EC** of 19 October 2009 determining the scope of Article 143(b) and (c) of Directive 2006/112/EC as regards exemption from value added tax on the final importation of certain goods (OJ L 292, 10.11.2009, p. 5–30)

This Directive defines the scope of the exemptions from value added tax (VAT) and the rules for their implementation. It contains the whole chapter on the articles imported for the benefit of blind or other handicapped persons that can be exempt on admission.

- Council Decision **2010/707/EU** of 21 October 2010 on guidelines for the employment policies of the Member States (OJ L 308, 24.11.2010, p. 46)

These guidelines provide direction for the coordination of EU Member States' employment policies. They should guarantee equal opportunities of employment, combat discrimination and social exclusion, including towards persons with disabilities.

- Regulation (**EU, Euratom**) **No 1023/2013** of the European Parliament and of the Council of 22 October 2013 amending the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union (OJ L 287, 29.10.2013, p. 15)

The Staff Regulations provide for a framework for attracting, recruiting and maintaining highly qualified and multilingual staff within the EU institutions. Among others the mentioned amending Regulation aligns the definition of persons with disabilities to the UN Convention and keeps the notion of reasonable accommodation, and provisions with respect to family members with disabilities of EU staff members.

- Regulation (EU) No 1296/2013 of the European Parliament and of the Council of 11 December 2013 on a European Union Programme for Employment and Social Innovation ("EaSI") and amending Decision No 283/2010/EU establishing a European Progress Microfinance Facility for employment and social inclusion Text with EEA relevance (OJ L 347, 20.12.2013, p. 238–252)

It establishes an EU programme for employment and social innovation that aims to deliver sustainable and long-term growth and jobs, reduce divergence between EU countries and help to reduce social inequality. General objectives of the programme include, among others, combatting discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

- Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487–548)

This Regulation sets out how the EAFRD aims to develop rural areas over the 2014-2020 period to be more geographically and environmentally balanced, climate-friendly, resilient, competitive and innovative. It sets a priority to promote social inclusion in rural areas, besides Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013, laying down common provisions for all the EU ESI Funds. Thus, Member States are obliged to combat discrimination based, among others, on disability, and should guarantee accessibility to people with disabilities while implementing the programmes and the Funds.

- Regulation (EU) No 516/2014 of the European Parliament and of the Council of 16 April 2014 establishing the Asylum, Migration and Integration Fund, amending Council Decision 2008/381/EC and repealing Decisions No 573/2007/EC and No 575/2007/EC of the European Parliament and of the Council and Council Decision 2007/435/EC (OJ L 150, 20.5.2014, p. 168)

This regulation establishes the Asylum, Migration and Integration Fund that aims to contribute to the efficient management of migration flows and improve the implementation and development of the EU's common policy on immigration and asylum. Need to provide extra protection and assistance to vulnerable persons.

- Commission Regulation (EU) No **651/2014** of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ L 187, 26.6.2014, p. 1)

It enables EU governments to give higher amounts of public money to a wider range of companies without first having to ask for the Commission's permission. It also lays down the rules for authorising State aids aimed at promotion of recruitment and employment of disadvantaged workers, including persons with disabilities.

- Directive (EU) **2015/2366** of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC (OJ L 337, 23.12.2015, p. 35)

It provides the legal foundation for the further development of a better integrated internal market for electronic payments within the EU. The obligation to inform consumers of their rights includes provision of information formats accessible for persons with disabilities.

— IN THE FIELD OF PERSONAL MOBILITY

- Directive **2003/59/EC** of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers, amending Council Regulation (EEC) No 3820/85 and Council Directive 91/439/EEC and repealing Council Directive 76/914/EEC (OJ L 226, 10.9.2003, p. 4)¹²³

Drivers of vehicles transporting passengers within the EU are obliged to be trained, especially while dealing with passengers with disabilities or reduced mobility.

- Council Directive **2003/86/EC** of 22 September 2003 on the right to family reunification (OJ L 251, 3.10.2003, p. 12)

It determines the conditions under which non-EU nationals residing lawfully on the territory of EU countries may exercise the right to family reunification. Disability cannot be the reason for withdrawing a residence permit or removing the person from a Member State.

- Regulation (EC) No **261/2004** of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers

¹²³ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

in the event of denied boarding and of cancellation or long delay of flights, repealing Regulation (EEC) No 295/91 (OJ L 46, 17.2.2004, p. 1)¹²⁴

It establishes common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights. It includes obligation on airline companies to give preferential treatment to passengers with disabilities.

- Regulation (EC) No 1107/2006 of the European Parliament and of the Council of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air, Text with EEA relevance (OJ L 204, 26.7.2006, p. 1)¹²⁵

Provision grants several rights to travelers with disabilities. Disabled people cannot be denied boarding or booking, they are entitled to receive assistance at airports and with boarding, and cannot be charged extra for this.

- Regulation (EC) No 1899/2006 of the European Parliament and of the Council of 12 December 2006 amending Council Regulation (EEC) No 3922/91 on the harmonisation of technical requirements and administrative procedures in the field of civil aviation (OJ L 377, 27.12.2006, p. 1)¹²⁶

It introduces various technical and procedural requirements in the field of aviation, applicable to all airplanes within the EU, several of which are for the benefit of passengers with disabilities.

- Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences (OJ L 403, 30.12.2006, p. 18)¹²⁷

It introduces a new European driving licence ensuring greater freedom of movement to EU drivers, and reinforcing road safety. It also contains several provisions regulating the issuing of driving licences to persons with disabilities and was further amended by Commission Directive 2009/113/EC as regards to medical conditions that should be considered while granting driving licences.

¹²⁴ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

¹²⁵ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

¹²⁶ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

¹²⁷ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and with further amendments is still in force.

- Commission Directive **2009/113/EC** of 25 August 2009 amending Directive 2006/126/EC of the European Parliament and of the Council on driving licences (OJ L 223, 26.8.2009, p. 31–35)

It amends Annex III to Directive 2006/126/EC and therefore identifies eyesight, diabetes and epilepsy as being medical conditions affecting fitness to drive which need to be considered by Member States while granting driving licences. Thus, the Directive contains several provisions regulating the issuing of driving licences.

- Regulation (EC) No **1370/2007** of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) No 1191/69 and 1107/70 (OJ L 315, 3.12.2007, p. 1)¹²⁸

It defines the conditions in which the competent authorities can intervene in the area of public passenger transport to guarantee the non-discriminatory and regular access to transportation facilities for all. Regulation enables Member States to maintain or set tariff ceiling for the benefit of people with disabilities.

- Regulation (EC) No **1371/2007** of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations (OJ L 315, 3.12.2007, p. 14)¹²⁹

It aims at establishing rights and obligations for rail passenger service users in order to improve the efficiency and attractiveness of rail transport. Among these there are several rights for travellers with disabilities, such as prohibition on refusing them permission to board a train, or prohibition to charge them additional fees. The provisions also contain several obligations regarding accessibility and obligations to facilitate independent travelling by people with disabilities.

- Commission Regulation (EC) No **8/2008** of 11 December 2007 amending Council Regulation (EEC) No 3922/91 as regards common technical requirements and administrative procedures applicable to commercial transportation by aeroplane (OJ L 10, 12.1.2008, p. 1)¹³⁰

It prescribes some specific requirements applicable for any operator of any aeroplane for the purpose of commercial air transport registered within the EU.

¹²⁸ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

¹²⁹ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

¹³⁰ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

- Regulation (EU) No 1177/2010 of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway, and amending Regulation (EC) No 2006/2004 (OJ L 334, 17.12.2010, p. 1)

Passengers with a disability or reduced mobility, travelling by sea and by inland waterways, enjoy the same rights as other passengers wherever they travel in the EU. These rights complement similar regulations for passengers in air and rail transport.

- Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004 (OJ L 55, 28.2.2011, p. 1)

Passengers with a disability or reduced mobility, travelling by bus and coach, enjoy the same rights as other passengers wherever they travel in the EU. These rights complement similar regulations for passengers in air, rail and waterborne transport.

- Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU (OJ L 348, 20.12.2013, p. 1)¹³¹

It sets out a long-term strategy for the development of a complete trans-European transport network consisting of infrastructure for railways, maritime and air transport, roads, inland waterways and rail-road terminals, covers the technical standards as well as the requirements for interoperability of infrastructures. Accessibility for passengers with disabilities is one of the objectives of the network.

- Directive 2014/33/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to lifts and safety components for lifts (OJ L 96, 29.3.2014, p. 251–308)

It lays down uniform rules on the sale and putting into service of lifts and safety components for lifts. It applies to lifts that permanently serve buildings and constructions and that are intended for the transport of persons and goods, but it does not apply to funicular railways, hoists and escalators or walkways. It requires Member States to comply with the rules set by the UN Convention, and therefore obliges them to use lifts that allow the use by disabled persons, where their dimensions permit.

¹³¹ This Regulation has been amended by the Commission Delegated Regulation (EU) 2016/758 of 4 February 2016 (OJ L 126, 14.5.2016, p. 3–12). The new Regulation contains only some changes to the Annex III, no new provisions on disability have been included, but the previous provisions continue to apply.

- Directive **2014/36/EU** of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers (OJ L 94, 28.3.2014, p. 375–390)

It sets out the conditions for non-EU citizens wishing to work in its member countries for short periods as seasonal workers, often in agriculture and tourism, including rights to ensure that they are not exploited, and are treated equally with nationals and not discriminated on the basis of, among others, disability.

- Regulation **(EU) 2016/399** of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) (OJ L 77, 23.3.2016, p. 1–52)

It lays down some common EU rules on crossing of internal borders by persons and border control at external borders. It states in particular that while carrying out border checks, border guards shall not discriminate against persons on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, and should respect human dignity of a person.

- Directive **(EU) 2016/801** of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing (OJ L 132, 21.5.2016, p. 21–57)

It simplifies and streamlines the existing provisions for several categories of third-country nationals coming to the EU for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing. Member States shall not discriminate them discrimination on the basis of sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinions, membership of a national minority, property, birth, disability, age or sexual orientation.

- Regulation **(EU) 2016/1624** of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC

It establishes a European Border and Coast Guard to ensure the effective implementation of European integrated border management. Members of the teams are obliged to fully respect fundamental rights, including access to asylum procedures, and human dignity, and shall not discriminate anyone on grounds of sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

— REGARDING ACCESS TO INFORMATION

- Directive **2000/31/EC** of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market (Directive on electronic commerce) (OJ L 178, 17.7.2000, p. 1)¹³²

It establishes standard rules in the EU on various issues related to electronic commerce, such as selling, advertising or sponsorship. Member States and the EU are to encourage the involvement of associations representing the visually impaired and disabled people in drafting and implementation of codes of conduct affecting their interests.

- Directive **2001/29/EC** of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society (OJ L 167, 22.6.2001, p. 10)¹³³

The Directive aims to adapt legislation on copyright and related rights to technological developments and particularly to the information society, while providing for a high level of protection of such rights. It also allows Member States to introduce exceptions or limitations to copyright and related rights in respect of uses for the benefit of people with a disability.

- Directive **2001/83/EC** of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67), as amended by Directive 2004/27/EC of the European Parliament and of the Council (OJ L 136, 30.4.2004, p. 34)¹³⁴

It brings together all the existing provisions in force on the sale, production, labelling, classification, distribution and advertising of medicinal products for human use in the EU and shall be considered together with Directive 2004/27/EC (listed below) that adds provisions requiring accessibility of medicinal products to persons with visual impairments.

- Directive **2004/27/EC** of the European Parliament and of the Council (OJ L 136, 30.4.2004, p. 34), amending the Directive 2001/83/EC of the European Parliament and of the Council of 6 November 2001 on the Community code relating to medicinal products for human use (OJ L 311, 28.11.2001, p. 67)

¹³² This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

¹³³ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

¹³⁴ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and with further amendments is still in force.

It provides common guidelines for medical products used within the EU as for their authorization, availability and packaging. It requires, among others, that the packaging of medicinal products must include a label in Braille and that the information leaflet must be available in formats accessible to visually impaired users.

- Directive **2005/29/EC** of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer practices in the internal market, amending Council Directive 84/450/EEC, Directives 97/7/EC, 98/27/EC and 2002/65/EC of the European Parliament and of the Council and Regulation (EC) No 2006/2004 of the European Parliament and of the Council (Unfair Commercial Practices Directive) (OJ L 149, 11.6.2005, p. 22)¹³⁵

It defines the commercial practices which are prohibited in the EU. It thus protects the economic interests of consumers, including those most vulnerable, before, during and after a commercial transaction has taken place.

- Directive **2007/65/EC** of the European Parliament and of the Council of 11 December 2007 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities (OJ L 332, 18.12.2007, p. 27)¹³⁶

It provides some common guidelines concerning the broadcasting activities in the EU. Among others it encourages Member States to ensure that services provided are gradually made accessible to people with a visual or hearing disability, and also oblige them to prohibit audio-visual commercial communications that include or promote discrimination.

- Directive **2010/13/EU** of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audio-visual media services (Audio-visual Media Services Directive) (OJ L 95, 15.4.2010, p. 1)

It aims to produce a framework for cross-border audio-visual media services in order to strengthen the internal programme production and distribution market, and guarantee conditions of fair competition. Member States shall encourage media service providers to make their services accessible to people with a visual or hearing disability, and to avoid disability-based discrimination in audio-visual commercial communications.

¹³⁵ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

¹³⁶ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

- Directive **2011/83/EU** of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council, and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p. 64)

It seeks to increase consumer protection by harmonising at EU level several key aspects of national legislation on contracts between customers and sellers. The information provided to consumers must take account of the specific needs of consumers who are particularly vulnerable.

- Directive **(EU) 2015/2302** of the European Parliament and of the Council of 25 November 2015 on package travel and linked travel arrangements, amending Regulation (EC) No 2006/2004 and Directive 2011/83/EU of the European Parliament and of the Council and repealing Council Directive 90/314/EEC (OJ L 326, 11.12.2015, p. 1–33)¹³⁷

It aims to introduce a high, uniform level of consumer protection within the EU in relation to contracts for travel packages and linked travel arrangements, what means a combination of at least 2 different types of travel service, taking into account the increasing use of internet booking. It requires the trader to provide the traveller with all necessary information before purchasing a package. While providing this information, the trader should take into account the specific needs of travellers who are particularly vulnerable because of their age or physical infirmity.

— REGARDING STATISTICS AND DATA COLLECTION

- Council Regulation **(EC) No 577/98** of 9 March 1998 on the organisation of a labour force sample survey in the Community (OJ L 77, 14.3.1998, p. 3–7)¹³⁸

It sets up a harmonised methodology for collecting national statistics on labour participation of people aged 15 and over, as well as on persons outside the labour force. Its Article 4.2article provides for an additional set of variables to supplement the information collected. These variables ('ad hoc' modules) are drawn up annually and have already twice focused on the employment of disabled people.

¹³⁷ This directive amended the Directive **2011/83/EU** of the European Parliament and of the Council of 25 October 2011 on consumer rights (OJ L 304, 22.11.2011, p. 64) that sought to increase consumer protection by harmonising at EU level several key aspects of national legislation on contracts between customers and sellers. The information provided to consumers had to take account of the specific needs of consumers who were particularly vulnerable. Both of these directives are still in force.

¹³⁸ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

- Regulation (EC) No 1177/2003 of the European Parliament and of the Council of 16 June 2003 concerning Community statistics on income and living conditions (EU-SILC): text with EEA relevance (OJ L 165, 3.7.2003, p. 1) with related implementing regulations¹³⁹

It sets up a harmonised methodology for collecting national statistics on income and living conditions. No explicit mention of disability as a topic for statistics, but poverty and exclusion are mentioned.

- Council Regulation (EC) No 168/2007 of 15 February 2007 establishing a European Union Agency for Fundamental Rights (OJ L 53, 22.2.2007, p. 1)

It establishes a European Union Agency for Fundamental Rights that will provide assistance and expertise on fundamental rights within the EU and will support the implementation of the Charter of Fundamental Rights. Although not disability-specific, the Agency can be (and is) mandated to carry out disability-specific research.

- Regulation (EC) No 458/2007 of the European Parliament and of the Council of 25 April 2007 on the European system of integrated social protection statistics (ESSPROS) (OJ L 113, 30.4.2007, p. 3) with related implementing regulations¹⁴⁰

Regulation establishes the European system of integrated social protection statistics, providing a legal framework intended to improve the usefulness of current data collections in terms of timeliness, coverage and comparability. Disability pensions are included.

- Regulation (EC) No 1338/2008 of the European Parliament and of the Council of 16 December 2008 on Community statistics on public health and health and safety at work (OJ L 354, 31.12.2008, p. 70)¹⁴¹

It sets rules for how statistics on public health and health & safety at work should be collected and presented - to provide comparable data across all EU countries. This will help the EU produce effective public health policy and support national strategies in this field. It calls on the Member States and the Commission to collect statistical material on the situation of people with disabilities, including on the development of services and benefits for this group, and obliges them to assess the effectiveness of disability policies.

¹³⁹ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

¹⁴⁰ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

¹⁴¹ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

- Commission Regulation (EU) No 141/2013 of 19 February 2013 implementing Regulation (EC) No 1338/2008 of the European Parliament and of the Council on Community statistics on public health and health and safety at work, as regards statistics based on the European Health Interview Survey (EHIS) (OJ L 47, 20.2.2013, p. 20–48)

It sets rules for how statistics on health status, determinants and use of health care services should be collected and presented to provide comparable data across all EU countries. One of the thematic areas of data collection is physical and mental functioning and disability.

- Commission Regulation (EU) 2015/359 of 4 March 2015 implementing the Regulation (EC) No 1338/2008 of the European Parliament and of the Council of 16 December 2008 as regards statistics on healthcare expenditure and financing (OJ L 354, 31.12.2008, p. 70)

It sets rules for how statistics on public health and health & safety at work should be collected and presented to provide comparable data across all EU countries. One of the thematic areas of data collection is physical and mental functioning and disability.

- Regulation (EU) No 99/2013 of the European Parliament and of the Council of 15 January 2013 on the European statistical programme 2013-17 (OJ L 39, 9.2.2013, p. 12)

Regulation establishes the European statistical programme that aims to ensure that European statistics are focused on the information needed to design, implement, monitor and evaluate EU policies. Statistics are to be provided in key areas of social policy, which includes disability.

- Council Decision No 252/2013/EU of 11 March 2013 establishing a Multiannual Framework for 2013-2017 for the European Union Agency for Fundamental Rights (OJ L 79, 21.3.2013, p. 1)

The Decision mentions main thematic objectives of FRA for the 2013-2017 reference period. Discrimination on the ground of disability is one of them.

- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1–88)

It seeks to further harmonise the protection of fundamental rights and freedoms of natural persons within the EU in respect of processing activities and to ensure the free flow of personal data between Member States. EU members are, however, obliged to ensure that the protection of personal data does not lead to physical, material or non-material damage of persons, in particular those who are the most vulnerable.

- Directive (EU) **2016/680** of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA (OJ L 119, 4.5.2016, p. 89–131)

It lays down general rules to protect natural persons in relation to the processing of personal data for the purposes of judicial cooperation in criminal matters and to ensure the free movement of personal data within the Union. It states that personal data concerning health should include all data pertaining to the health status of a person, which reveal information relating to the past, current or future physical or mental health status, including disability.

- Directive (EU) **2016/681** of the European Parliament and of the Council of 27 April 2016 on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime (OJ L 119, 4.5.2016, p. 132–149)

This Directive regulates the transfer of passenger information data by air carriers to the competent national authorities for the purpose of improving border controls and combating serious crimes and terrorism. Its objectives are, inter alia, to ensure security, to protect the life and safety of persons, and to create a legal framework for the protection of PNR data with regard to their processing by competent authorities. While using and protecting the data, competent authorities should not discriminate persons on grounds of sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.

— IN THE FIELD OF INTERNATIONAL COOPERATION

- Regulation (EC) **No 1889/2006** of the European Parliament and of the Council of 20 December 2006 on establishing a financing instrument for the promotion of democracy and human rights worldwide (OJ L 386, 29.12.2006, p. 1)¹⁴²

Regulation establishes a European Instrument for Democracy and Human Rights providing assistance and contributing to the development and enhancement of democracy and the rule of law, and of respect for all human rights and fundamental freedoms worldwide including for persons with disabilities.

¹⁴² This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

- Regulation (EC) No 1905/2006 of the European Parliament and of the Council of 18 December 2006 establishing a financing instrument for development cooperation (OJ L 378, 27.12.2006, p. 41)¹⁴³

Regulation sets up a financing instrument for development cooperation which replaces the range of geographic and thematic instruments created over time by the EU. Its aim is to improve development cooperation between Member States. It concerns funding of disability relevant initiatives.

- Commission Regulation (EC) No 718/2007 of 12 June 2007 implementing Council Regulation (EC) No 1085/2006 establishing an Instrument for Pre-accession Assistance (IPA) (OJ L 170, 29.6.2007, p. 1)¹⁴⁴

It aims to provide pre-accession assistance to given countries and support them in their transition through to membership of the European Union.

- Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action (OJ L 77, 15.3.2014, p. 95)

It provides the general framework for the implementation of the measures funded by EU foreign policy instruments and specifies the rules applicable to action programmes and individual projects in the field. Regulation states that in the design and implementation of programmes and projects, criteria regarding accessibility for persons with disabilities shall be taken into account.

- Regulation (EU) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II) (OJ L 77, 15.3.2014, p. 11)

It aims to help countries wishing to join the EU to implement comprehensive reforms and to align their rules and policies with EU standards, in order to prepare for their membership. Social and economic inclusion of persons with disabilities is to be found among its specific objectives.

- Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument (OJ L 77, 15.3.2014, p. 27)

¹⁴³ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

¹⁴⁴ This document was already mentioned in the initial *Declaration of Competence* in the Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35) and is still in force.

By establishing the European Neighbourhood Instrument 2014-2020 through this regulation, the EU provides funding to the 16 partner countries covered by the European neighbourhood policy. Thus, it seeks to strengthen relations with the beneficiaries through bilateral, multi-country and cross-border cooperation. Among specific objectives that the Union supports are promotion of human rights and fundamental freedoms, equality and the fight against discrimination in all its forms. Disability is not mentioned explicitly.

- Regulation (EU) No **233/2014** of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020 (OJ L 77, 15.3.2014, p. 44)

Through its Development Cooperation Instrument, the EU aims to reduce poverty in developing countries, promote sustainable economic, social and environmental development, democracy, the rule of law, human rights and good governance. Among others, the rights of persons with disabilities need to be taken into account.

- Regulation (EU) No **235/2014** of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for democracy and human rights worldwide (OJ L 77, 15.3.2014, p. 85)

It establishes a financing instrument for the promotion and support of democracy and human rights worldwide, providing assistance independently of the consent of the Member States' governments. The scope of EU assistance includes promotion and protection of rights of persons with disabilities.

- Commission Implementing Regulation (EU) **2015/2093** of 18 November 2015 amending Regulation (EC) No 718/2007 implementing Council Regulation (EC) No 1085/2006 establishing an instrument for pre-accession assistance (IPA) (OJ L 303, 20.11.2015, p. 3–6)

It amends the regulations on IPA and provides for the possibility of using Union trust funds for implementing pre-accession assistance. Making reference to aid for refugees in Syria, it states that the country is facing the challenge of responding to humanitarian needs of refugees, including minors and vulnerable persons, and the EU should assist in it.

- Regulation (EU) No **234/2014** of the European Parliament and of the Council of 11 March 2014 establishing a Partnership Instrument for cooperation with third countries (OJ L 77, 15.3.2014, p. 77–84)

The Partnership Instrument established by this Regulation provides for 2014-20 a new and complementary support for the European Union's external policies. It supports measures that respond to objectives arising from the EU's bilateral, regional or multilateral relationships with non-EU countries and to address challenges of global concern. Among others, the

regulation calls for promoting inclusive international order, having inclusive global institutions, and adopting inclusive approach in addressing transnational challenges.

- Regulation (EU) No **230/2014** of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace (OJ L 77, 15.3.2014, p. 1–10)

The EU's Instrument contributing to Stability and Peace established by this Regulation is designed to help prevent and respond to crises, as well as to create a safe and stable environment around the world. It seeks to address conflicts, as well as situations of terrorism, organised crime, gender-based violence, climate change, cybersecurity challenges and security threats arising from natural disasters. Among others, it aims at ensuring that human rights of all people are taken into consideration in the design and implementation of the measures contributing to stability and peace.

- Council Regulation (Euratom) No **237/2014** of 13 December 2013 establishing an Instrument for Nuclear Safety Cooperation (OJ L 77, 15.3.2014, p. 109–116)

The Instrument for Nuclear Safety Cooperation established by this Regulation, covering the years 2014–2020, aims at promoting the EU approach for the highest possible nuclear safety standards. One of its priorities is to create the safety conditions necessary to eliminate hazards to the life and health of workers in nuclear sector and of the general public, both in the EU and in the third countries.

- Council Decision **2014/137/EU** of 14 March 2014 on relations between the European Union on the one hand, and Greenland and the Kingdom of Denmark on the other (OJ L 76, 15.3.2014, p. 1–5)

This Decision lays down general principles and specific objectives concerning the partnership between the EU and Greenland. The EU commits to support and to cooperate with Greenland in addressing its major challenges, including education and training, tourism and culture, social issues, mobility of the workforce, social protection systems, and others. All of these policy areas are of major importance for persons with disabilities and are reflected in the UN Convention.

- Partnership Agreement **2000/483/EC** between the members of the African, Caribbean and Pacific (ACP) Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 (OJ L 317/4, 15.12.2000, p. 3–353)
- Agreement amending the Partnership Agreement between the members of the ACP group states and the EC – 2005 (OJ L 209/27, 11.8.2005, p. 26–26)

- Agreement amending for the second time the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States and the European Community and its Member States 04/11/2010 (OJ L 287/3, 4.11.2010, p. 3–49)

The Cotonou Agreement along with both amending agreements, concluded respectively in 2005 and 2010, offers a comprehensive framework for the EU cooperation relations with the African, Caribbean and Pacific States. Centred on the target of reducing and in the longer-term eradicating poverty, the cooperation shall also contribute to the peace and security, political and economic cooperation, and the democratic stability of these States. In this regard, partnership shall among others support ACP countries' in their efforts aimed at developing policies and reforms which improve the access to basic social services, as well as economic and social development activities, taking special account of the needs and specific demands of the most vulnerable and disadvantaged groups of society. In 2010, the Cotonou Agreement has been adapted to new challenges such as climate change, food security, regional integration, State fragility and aid effectiveness.

— REGARDING HEALTH

- Directive **2011/24/EU** of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare (OJ L 88, 4.4.2011, p. 45)

It sets out the conditions under which a patient may travel to another EU country to receive safe and high quality medical care and have the cost reimbursed by their own health insurance scheme, making some optional provisions for granting prior authorization to recipients of cross-border healthcare with disabilities. It also encourages cooperation between national healthcare systems.

- Regulation (EU) **No 282/2014** of the European Parliament and of the Council of 11 March 2014 on the establishment of a third Programme for the Union's action in the field of health (2014-2020) and repealing Decision No 1350/2007/EC (OJ L 86, 21.3.2014, p. 1)

This regulation launches EU's third health programme, which aim is to foster health in Europe by encouraging cooperation between EU countries to improve the health policies that benefit their citizens. Without specific focus on persons with disabilities, the programme mentions however the EU's commitment to fight against discrimination on all grounds.

- Regulation (EU) **No 536/2014** of the European Parliament and of the Council of 16 April 2014 on clinical trials on medicinal products for human use, repealing Directive 2001/20/EC (OJ L 158, 27.5.2014, p. 1)

It ensures the safety of people participating in clinical trials, and aims to simplify procedures authorising these trials, which are vital for developing new medicines and improving treatments using existing medicines. Specific protective measures should be granted to people with disabilities.

— IN THE FIELD OF AWARENESS RAISING

- Council Decision **2001/903/EC** of 3 December 2001 on the European Year of People with Disabilities 2003 (OJ L 335, 19.12.2001, p. 15)

By this decision 2003 was announced the European Year of People with Disabilities, with a view to reinforce efforts regarding employment and integration and to raise awareness of disability.

- Decision No **1098/2008/EC** of the European Parliament and of the Council of 22 October 2008 on the European Year for Combating Poverty and Social Exclusion (2010) (OJ L 298, 7.11.2008, p. 20)

By this decision 2010 was announced the European Year for Combating Poverty and Social Exclusion. The Decision provided that all activities of the Year must be accessible to persons with disabilities, whose specific needs should also be taken into account in ICT training.

- Decision No **940/2011/EU** of the European Parliament and of the Council of 14 September 2011 on the European Year for Active Ageing and Solidarity between Generations (2012) (OJ L 246, 23.9.2011, p. 5)

By this decision 2012 was announced the European Year for Active Ageing and Solidarity between Generations. Its aim is to ensure that older people stay longer in the labour market, and remain healthy, active and autonomous for as long as possible. The activities of the Year were to be accessible to persons with disabilities.

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ANNEX I

The following documents were originally included in the Appendix to Annex II of the Council Decision 2010/48/EC of 26 November 2009, entitled *Community acts which refer to matters governed by the Convention* (OJ L 23, 27.1.2010, p. 35), but were repealed in the meantime.

— REGARDING ACCESSIBILITY

- Directive **95/16/EC** of the European Parliament and of the Council of 29 June 1995 on the approximation of the laws of the Member States relating to lifts (OJ L 213, 7.9.1995, p. 1), as amended by Directive 2006/42/EC of the European Parliament and of the Council on machinery, and amending Directive 95/16/EC (OJ L 157, 9.6.2006, p. 24)

*It was repealed by Directive **2014/33/EU** of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to lifts and safety components for lifts (OJ L 96, 29.3.2014, p. 251–308). Obligations to allow the use of lifts by disabled persons, where their dimensions permit, have been kept and clear reference to the UN Convention has been added.*

- Council Directive **96/48/EC** of 23 July 1996 on the interoperability of the trans-European high-speed rail system (OJ L 235, 17.9.1996, p. 6), as amended by Directive 2004/50/EC of the European Parliament and of the Council (OJ L 164, 30.4.2004, p. 114)
- Directive **2001/16/EC** of the European Parliament and of the Council of 19 March 2001 on the interoperability of the trans-European conventional rail system (OJ L 110, 20.4.2001, p. 1), as amended by Directive 2004/50/EC of the European Parliament and of the Council (OJ L 164, 30.4.2004, p. 114)

*Council Directive 96/48/EC and Directive 2001/16/EC of the European Parliament and of the Council were repealed and their provisions have been merged together into a single Directive **2008/57/EC** of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community (OJ L 191, 18.7.2008, p. 1). Directive 2008/57/EC of the European Parliament and of the Council was repealed by Directive (**EU**) **2016/797** of the European Parliament and of the Council of 11 May 2016 on the interoperability of the rail system within the European Union (OJ L 138, 26.5.2016, p. 44–101).*

- Directive **1999/5/EC** of the European Parliament and of the Council of 9 March 1999 on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity (OJ L 91, 7.4.1999, p. 10)

*It was repealed by Directive **2014/53/EU** of the European Parliament and of the Council of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment (OJ L 153, 22.5.2014, p. 62).*

- Directive **2001/85/EC** of the European Parliament and of the Council of 20 November 2001 relating to special provisions for vehicles used for the carriage of passengers comprising more than eight seats in addition to the driver's seat, amending Directives 70/156/EEC and 97/27/EC (OJ L 42, 13.2.2002, p. 1)

It was repealed by Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor (OJ L 200, 31.7.2009, p. 1–24).

- Directive **2003/24/EC** of the European Parliament and of the Council of 14 April 2003 amending Council Directive 98/18/EC on safety rules and standards for passenger ships (OJ L 123, 17.5.2003, p. 18)

It was repealed by Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships (OJ L 163, 25.6.2009, p. 1).

- Directive **2004/17/EC** of the European Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors (OJ L 134, 30.4.2004, p. 1)

It was repealed by Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors (OJ L 94, 28.3.2014, p. 243).

- Directive **2004/18/EC** of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts (OJ L 134, 30.4.2004, p. 114)

It was repealed by Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement (OJ L 94, 28.3.2014, p. 65).

- Council Regulation (EC) No **1083/2006** of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999 (OJ L 210, 31.7.2006, p. 25)

It was repealed by Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the

European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund (OJ L 347, 20.12.2013, p. 320)

— IN THE FIELD OF INDEPENDENT LIVING AND SOCIAL INCLUSION, WORK AND EMPLOYMENT

- Council Regulation (EEC) No **918/83** of 28 March 1983 setting up a Community system of reliefs from customs duty (OJ L 105, 23.4.1983, p. 1)

*It was repealed by Council Regulation (EC) No **1186/2009** of 16 November 2009 setting up a Community system of reliefs from customs duty (OJ L 324, 10.12.2009, p. 23–57).*

- Commission Regulation (EEC) No **2289/83** of 29 July 1983 laying down provisions for the implementation of Articles 70 to 78 of Council Regulation (EEC) No 918/83 establishing a Community system of duty-free arrangements (OJ L 220, 11.8.1983, p. 15)

*It was repealed by Commission Implementing Regulation (EU) No **1224/2011** of 28 November 2011 for the purposes of Articles 66 to 73 of Council Regulation (EC) No 1186/2009 setting up a Community system of reliefs from customs duty (OJ L 314, 29.11.2011, p. 14–19).*

- Council Directive **83/181/EEC** of 28 March 1983 determining the scope of Article 14(1)(d) of Directive 77/388/EEC as regards exemption from value added tax on the final importation of certain goods (OJ L 105, 23.4.1983, p. 38)

*It was repealed by Council Directive **2009/132/EC** of 19 October 2009 determining the scope of Article 143(b) and (c) of Directive 2006/112/EC as regards exemption from value added tax on the final importation of certain goods (OJ L 292, 10.11.2009, p. 5–30).*

- Council Regulation (EC) No **1698/2005** of 20 September 2005 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 277, 21.10.2005, p. 1)

*It was repealed by Regulation (EU) No **1305/2013** of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) (OJ L 347, 20.12.2013, p. 487–548).*

- Commission Decision **2008/164/EC** of 21 December 2007 concerning the technical specification of interoperability relating to persons with reduced mobility in the trans-European conventional and high-speed rail system (OJ L 64, 7.3.2008, p. 72)

It was repealed by Commission Regulation (EU) No 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility (OJ L 356, 12.12.2014, p. 110–178).

- Commission Regulation (EC) No 800/2008 of 6 August 2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty (General Block Exemption Regulation) (OJ L 214, 9.8.2008, p. 3)

It was repealed by Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty Text with EEA relevance (OJ L 187, 26.6.2014, p. 1–78).

— IN THE FIELD OF PERSONAL MOBILITY

- Council Directive 91/439/EEC of 29 July 1991 on driving licences (OJ L 237, 24.8.1991, p. 1)

It was repealed by Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006 on driving licences (OJ L 403, 30.12.2006, p. 18–60).

- Directive 2006/87/EC of the European Parliament and of the Council of 12 December 2006 laying down technical requirements for inland waterway vessels and repealing Council Directive 82/714/EEC (OJ L 389, 30.12.2006, p. 1)

It was repealed by Directive (EU) 2016/1629 of the European Parliament and of the Council of 14 September 2016 laying down technical requirements for inland waterway vessels, amending Directive 2009/100/EC and repealing Directive 2006/87/EC (OJ L 252, 16.9.2016, p. 118–176), which does not include references to disability.

— REGARDING STATISTICS AND DATA COLLECTION

- Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and the free movement of such data (OJ L 281, 23.11.1995, p. 31)

It was repealed by Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1–88).