

**EDF Committee on Social Policy and Inclusion**

**Agenda**

**Chair: Rodolfo Cattani**

Venue: **Ploiesti room** JW Marriott Bucharest Grand Hotel, Bucharest, Romania

# SATURDAY 23 MARCH 2019

**Present:**

Adam Zawisny

Albert Prévos

Athina Fragkouli

Farbod Khansari

Foteini Zafeiropoulou

Gudrun Eigelsreiter

Kamil Goungor

Marcel Bobeldijk

Maureen Piggot

Nadia Hadad

Pierre Gyselinck

Rodolfo Cattani

Sanja Tarczay

Vera Bonvalot

**MFF**

The Committee was updated on the EDF’s work on some of the key Regulations under the upcoming EU Budget: namely the Social Fund Plus, the Regional Development Fund, and the Common Provisions Regulation which is a piece of over-arching legislation that applies to various EU funding programmes.

The Committee was informed about the positive positions adopted by the European Parliament with regards to provisions for persons with disability. Almost all of EDF’s suggested amendments were taken into account by the Parliament.

The committee was also informed of what we are seeing emerge from the Council’s position, and some of the latest developments there. The Council’s position is far less favourable than the Parliament’s, but there is still room for promising developments there. EDF has met with the Permanent Representations of France, Germany, Italy, Greece, Romania, Finland, Bulgaria, Portugal, Ireland, Sweden, Spain and Estonia to advocate on the need for strong clauses on accessibility and non-discrimination criteria in the selection of EU funded projects.

We discussed that the trilogues for the Common provisions regulation at least appear to be on hold until the new Parliament and new Commission takes up their position in the autumn.

Main achievements in the Parliament’s positions are:

**Common provision Regulation**

* Re-stating non-discrimination and accessibility for persons with disabilities as a horizontal principle for all funds;
* Making accessibility for persons with disabilities a mandatory criterion for the selection of operations;
* Reinforcing the partnership principles promoting the participation of civil society in all phases of the Funds;
* Increasing the pre- and co-financing rates, allowing for better access to the Funds for civil society organisations;
* Streamlining mention of the UNCRPD and linking the use of EU funds to the Convention.

**European Social Fund Plus**

* Statement that the principles of the European Pillar of Social Rights should guide the actions under the ESF+;
* Provision that ESF+ should respect the UN Convention on the Rights of Persons with Disabilities;
* ESF+ should facilitate the transition from education to employment, mobility and support persons with disabilities in particular;
* ESF+ should support Member States’ efforts to eradicate poverty and promote social inclusion and access to quality, sustainable, accessible and affordable services for persons with disabilities;
* ESF+ shall promote the inclusion in society of persons with disabilities on equal basis with others;
* ESF+ shall ensure accessibility to persons with disabilities, also in terms of ICT, throughout the preparation, implementation, monitoring and evaluation of funded operations;
* Actions should ensure meaningful participation of social partners, civil society organisations, equality bodies, national human rights institutions and other relevant or representative organisations.

**European Regional Development Funds**

* advancing the transition from institutional to family- and community-based care;
* allowing investment in housing not only with regards to resource efficiency or renewable energy use but also to foster accessible living conditions for older people and persons with disabilities;
* promoting social inclusion and fighting poverty, and raising citizens’ quality of life in line with the obligations of the UN Convention on the Rights of Persons with Disabilities;

delivery of actions to be done with the involvement of civil society and non-governmental organisations.

**Social pillar Update**

The Committee was given an update about the European Pillar of Social Rights, and the concrete outcomes from this.

The main news is that the Work Life Balance Directive, the first legislative proposal to emerge from the pillar, was recently agreed on.

As a result of this political agreement, European families will soon be able to count on the following:

* European minimum standards of 10 days paternity leave around the birth of the child (paid at sick-leave level), 4 months of parental leave (with minimum 2 months non-transferable and paid, with payment to be determined by national governments) and 5 days/year of carers leave per worker (with payment to be decided by national governments);
* Acknowledgement of family diversity in the 21st century with references to “equivalent second parent” in the legislation;
* Recognition of the need for both universal measures for all families and specific measures for families in vulnerable situations;
* Recommendations to governments to provide adequate levels of compensation for family leave in order to allow men and women to take up leave and minimise loss of income for families;
* Awareness of their governments that measures for working carers need to be strengthened to account for demographic changes and emerging needs;
* A commitment to close monitoring by the European Commission of the directive’s implementation, which requires national governments to collect data on the take-up of leave and flexible working arrangements.

A Council Recommendation on access to social protection for workers and the self-employed was also agreed upon.

The Recommendation will be non-binding, but will set a direction for Member States to:

* close formal coverage gaps by allowing all individuals in different types of employment to adhere to social protection systems;
* take measures allowing all individuals in employment and self-employment to build up and take up adequate entitlements as members of a scheme and facilitate transferability of social protection entitlements between schemes;
* provide transparent information about social security entitlements and obligations.

**Human Rights Report on Poverty and Social Exclusion**

After the updates on advocacy and policy work by the Social policy Officer, we discussed the upcoming Human Rights Report on Poverty and Social Exclusion.

Together, we agreed on the structure and content of the publication,

The publication will be set up around the following chapters (although names will change:

* **Persons with disabilities and the risk of poverty and social exclusion**

-Analysis of the true cost of disability on one’s outgoings

-Analysis situation at EU and MS level

* **The Role of disability assessment and disability allowance across the EU**

-Comparison across EU MS

-Explanation of shortcomings

* **Extreme poverty (issue of homelessness)**

-Homelessness among persons with disabilities

-The effect of gender, age and ethnicity on the risk of poverty for persons with disabilities

* **The legacy of the financial crisis and austerity**

-How austerity has affected the wellbeing and inclusion of persons with disabilities

-A comparison of changes brought about by the crisis across the EU

* **The Role of employment in preventing poverty and social exclusion**

-Unemployment among persons with disabilities

-Labour market policies for increased participation of persons with disabilities in EU and in MS

* Adapted work environments
* The importance of quality employment
* Adequate income and in-work poverty
* **the EU’s commitment to social inclusion and poverty reduction (essentially the obligations of EU and roles it can play)**
* **Policy recommendations for the reduction of poverty and social exclusion**

**Members of the committee added following points:**

* When looking at the issue of disability assessment and allowance, in many EU countries a very medical model is used, and to focus more on social barriers and the actual outgoings of persons with disabilities related to their individual needs (often resulting in higher cost of living) It was suggested to look at the good example of Norway, which provides coverage for all disability-related needs, regardless of the income of a person, and then offers other social protection schemes dependent on one’s financial needs in the same way as for persons without disabilities.
* We will look closely at the systems that disincentivise employment due to the precarity and often extra financial strain being employed can put on persons with disabilities.
* Need for a human rights based definition on what disability is in disability assessment, not just medical model
* Understanding better the real extra costs associated with being a person with disabilities
* Looking closely not only at disability benefits and allowance, but also other possible assistance existing in different EU member States such as tax breaks and support with living costs
* Need to be clear about defining what we mean by social exclusion
* Reference to the role of personal assistance in reducing poverty an social exclusion
* Exploration of children with disabilities and how poverty affects them and their families, and the tricky transition in terms of social protection coverage when one transitions from childhood to adulthood – a grey zone for disability-related allowances and support
* Loss or reduction of disability benefits for people who are married, if spouse has a job (forced dependency on the financial state of spouse and not on individual needs, as is case in France).
* When making comparisons between countries, ensuring that the cost of living is taken well and truly taken into account to avoid misleading comparisons

as well as the policy recommendations we will propose in this area for both EU, national and regional policy-makers. Some of the key ones (not exclusively) are the following:

* Facilitate the portability of services across borders, to enable persons with disabilities to enjoy their right to freedom of movement within the EU.
* Ensure persons with disabilities are not worse off by working, by allowing for the continuation of disability allowance used to reimburse the cost of assistive devices, technologies, etc.
* Ensure living wages and access to trade unions for workers with disabilities.
* In order to comply with the CRPD, disability assessments should not only consider impairment and activity limitations, but also the attitudinal and environmental barriers faced by persons with disabilities in their place of residence, as well as their support requirements.
* Money should be invested in the accessibility of mainstream services for persons with disabilities to minimise the disability-related costs persons with disabilities and their families are required to spend to receive necessary support.

The committee members also added:

* Removing pejorative language in disability assessments (such as in Poland where a person must declare themselves to have an ‘inability for independent living and employment’ to get disability allocations, which is not CRPD compliant and has been brought up in Poland’s review by the CRPD Committee.

The committee also came to a conclusion about how we will collect personal testimonies to highlight the human face of different issues raised in the publication. We might be asking all board members to help in collecting these testimonies, which can be filled out electronically and in the person’s own language, to facilitate the provision of real life experience. These will respect data protection practices and only be used with written content.