

**The European Mobility Card – Situation in 2014**...................................................................................................................

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 35 square de Meeûs **tel** +32 2 282 46 00 info@edf-feph.og

 1000 Brussels - Belgium **fax** +32 2 282 46 09 [www.edf-feph.org](http://www.edf-feph.org)

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# ****The European Disability Forum (EDF)****

**EDF** is the European umbrella organisation representing the interests of 80 million persons with disabilities in Europe. The mission of EDF is to ensure that persons with disabilities have full access to fundamental and human rights through their active involvement in policy development and implementation in Europe. EDF is a member of the International Disability Alliance and works closely with the European institutions, the Council of Europe and the United Nations.

# Introduction

EDF published its first proposal for a European Mobility Card in 2011 as part of its “Freedom of Movement” campaign, followed by a detailed analysis report compiling information about the situation in the different EU Member States. A lot has happened since 2011 which led to the conception of a new position paper to give an update on the state of play concerning the “Mobility Card”, as it was commonly known in the disability movement.

As of mid-2014, the European Commission has established a Project Working Group (PWG) to bring the interested Member States together and discuss the future of the Mobility Card. The working title for this project attributed by the Commission is the “InclEUsive Card”. Since it is technically referring to the same concept and the final name is not clear yet, we will henceforth simply refer to “the Card” in this paper to avoid confusion.

This position paper will give an overview of the developments since 2011 and what has become of the idea of the “Mobility Card” which was proposed by EDF in our first position paper. We will assess the difficulties in this process and make some suggestions on how to improve it to develop a meaningful Card which fulfills the expectations of persons with disabilities to facilitate their freedom of movement within the EU.

# The starting point: What kind of Card did EDF campaign for?

In 2011, EDF published the paper “Proposal for a European Mobility Card” as part of its “Freedom of Movement” campaign to highlight the importance of such a Card to facilitate travelling for persons with disabilities in the EU. This proposal was developed as a result of regular inquiries from members and EU citizens, most of who were surprised that such a Card did not already exist. There was (and still is) a general feeling within the disability movement that travelling in the EU is made disproportionately difficult for persons with disabilities, even though all the internal borders have theoretically disappeared. After the success of the European Youth Card (EYCA)[[1]](#footnote-1) and inter-regional initiatives such as the EureCard[[2]](#footnote-2), it seemed like a logical continuation to enable persons with disabilities to benefit from the same discounts and advantages as nationals of the Member State they are visiting.

After EDF compiled information about the different national Disability Card schemes (where they existed) as well as the above mentioned EureCard, which was a cross-border project between several regions in the BeNeLux countries and Germany, it quickly became clear that the harmonization of different Disability Cards would be more complicated than expected. Some Member States, like Germany, Hungary, Denmark or France, have a well-established system of national Disability Cards which gives discounts for transport, cultural activities, events, etc. In other Member States like Romania, Italy, Greece, Sweden or the United Kingdom, the concept of such a Disability Card does not exist[[3]](#footnote-3). Furthermore, it also transpired that the definition of who is to be considered “disabled” and who would be eligible to receive such a Card varies widely among the Member States.

EDF also realized fairly early on in the process that, due to the fundamental differences in the social security systems of the Member States and the lacking competences of the EU in this area, social security benefits would be excluded from such a Card, at least for the time being. It was thus agreed to concentrate on other advantages that would facilitate travelling between Member States. It is thus intended to mainly benefit tourists and occasional travelers who visit other Member States or persons who stay in another Member State temporarily such as exchange students, trainees or posted workers. It is important to remember that an EU citizen who officially resides in another Member State generally has the same rights granted under Article 12 TFEU as a national of that Member State once he/she has registered, thus preventing discrimination on the grounds of one’s nationality. That means that one is automatically entitled to the same benefits as a national of the host Member State but since this also usually implies a minimum duration of stay (e.g. 6 months), many people that stay for a shorter period of time cannot benefit from those rights.

One particular example illustrates this issue well: A Lithuanian woman had a visitor from another Member State, both have a disability. When they were visiting the city, the visitor was charged more for public transport and for the entry to the museum than his Lithuanian host which, of course, caused her some embarrassment[[4]](#footnote-4). To avoid this kind of situation, the Card would give everyone the same right, whether they are a national of that country or not.

In the “Freedom of Movement” campaign, EDF pointed out exactly this paradox which restricts EU citizens with disabilities in the enjoyment of their fundamental right to free movement of persons, granted under Article 21 of the Treaty on the Functioning of the European Union (TFEU). EDF thus used this aspect of the campaign to promote the idea of a common model Disability Card that would be based on mutual recognition by all EU Member States. After several successful actions to raise awareness for the need of such a Card and with support from the European Parliament[[5]](#footnote-5), the European Commission decided in 2013 to respond to EDF’s demand to take up work to develop a European Card. The PWG was initiated and Member States were invited to join.

Finally, the Card was also included in the Commission’s 2013 EU Citizenship Report as part of the 12 new key actions to improve citizens lives, committing to launch the pilot project: “The Commission will launch a pilot initiative with a view to developing a mutually-recognized EU disability card that will facilitate equal treatment of persons with disabilities who travel to other EU countries, when it comes to access to transport, tourism, culture, and leisure.”[[6]](#footnote-6)

# The Commission PWG: What could the Card actually look like?

EDF was pleased to see that the Commission took the initiative to set up the PWG to give the Member States the opportunity to exchange ideas and start developing a Card that could be used throughout the EU. EDF was invited to participate in the group to provide expertise and represent the views of persons with disabilities in this project to make sure that the Card will fulfill its purpose.

Initially, all Member States were invited to participate but in the end 15 committed to the project and went ahead with the work on the Card. They have been meeting four times so far. Those Member States are Belgium, Bulgaria, Cyprus, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Malta, Portugal, Slovakia, Slovenia and Spain. The group is chaired by DG JUST but since it is a purely voluntary project, the Member States operate on a basis of mutual recognition and collaboration. EDF is very happy that those Member States decided to make the commitment to go ahead with the project, especially because some of the most important EU tourist destinations are among them.

The starting point for the discussions was a comparison of the systems that are already in place in the different Member States to take stock of the advantages that could be extended to other EU citizens. The Member States put together a list of the discounts and advantages that are likely to be made available for holders of the Card, each detailing what type of advantage it would be (e.g. discount, free entry, free or reduced entry for assistants, etc.) By presenting the systems it emerged that due to the inherent differences it would not be possible to find a common definition for who is considered to have a disability but that each Member State would keep its own definition, issuing the Card to whoever it judges to be eligible according to the national criteria.

 For example, if Germany requires a person to have a status of at least 50 % of impairment in order to be a national Card holder, this would also apply for any other EU citizen. If this percentage would be higher like for example 80 % in France, this limit would apply. Again, how this percentage is determined and which disabilities are concerned is also to be decided by the Member States. In several Member States, blind persons have a special status which gives them access to additional perks. The aim of the work of the PWG is not to change these systems but simply to grant other EU citizens with disabilities access to the equivalent advantages without having to go through the bureaucratic procedures of having their disabilities officially recognized within the national systems. EDF agrees with this approach but would also like to point out that the eligibility limit should not be set too low. It is likely that a person with a severe disability will travel less and will not be able to take advantage of tourism services simply because travelling is more complicated and has to be well prepared. People with a less severe disability are the main target group who will benefit from the Card so they should not be excluded.

EDF is generally of the opinion that the Card will not be a “burden” but rather an opportunity for the tourism industry and local businesses to enlarge their customer base. With more persons with disabilities travelling, accessible tourism will be an expanding sector with great potential for the EU-economy. Not only will the Card stimulate cross-border tourism in this way but it should also be kept in mind that persons with disabilities usually travel with their families or several people and that they often travel in low season. A recent study by the European Commission underlines that the demand for accessible tourism will grow in the future and it estimates that “up to 39.4% of additional economic contribution associated with the demand by people within the EU could be achieved, which suggests that up to 1,073 billion Euros of total output could be generated, along with up to 12.1 million employed persons within the whole EU economy - taking all direct, indirect and induced effects into account.”[[7]](#footnote-7) This potential can even be enhanced by the establishment of a Card.

The second major point of discussion in the PWG is the type of advantages that would be made available to Card holders because those vary widely between Member States. In some Member States, such as Estonia, public transport is free for persons with disabilities and their assistants. If this was extended to all EU citizens visiting Estonia, this would be a substantial perk and make a big difference to persons with disabilities. Other Member States, such as Belgium, have argued that public transport should be excluded completely from the list of benefits as it would be too complicated to assess the eligibility and coordinate with public transport providers which are managed regionally. According to EDF, public transport is a vital aspect of mobility for persons with disabilities and should absolutely be included, even if this required a higher level of collaboration between the authorities to make it possible.

Besides public transport, most Member States represented in the PWG have suggested advantages in the areas of culture, leisure and sport such as reduced entrance fees to theatres, museums and public swimming pools. In some cases, this is also applied to assistants of persons with disabilities. This can be as specific as naming certain museums as for example in the case of Bulgaria or, in the case of Malta, in collaboration with other organisations such as “Heritage Malta” which manages a number of cultural sites. However, EDF would like that not only public bodies endorse the Card but also private businesses. Tourist attractions such as amusement parks, cinemas, music festivals or even accommodation and catering providers could become part of the scheme to promote their businesses and make them more accessible to persons with disabilities at the same time.

Gathering as much as information as possible and, ideally, making it accessible to citizens via a website or a common database, both accessible according to the international guidelines W3C-WAI, is a crucial aspect of the Card. It should, after all, be used actively and provide a maximum of advantages for persons with disabilities who are travelling to other EU countries. This list should be updated frequently and the body which is in charge of managing the Card should actively try to promote it and seek new possibilities and advantages that can be added.

Finally, the PWG discussed on a more practical note what format the Card could have. It should of course have a common layout or a common logo so that it will be recognizable, independent of language. One alternative would be to create two separate cards, a regional or national one and a European one. Alternatively, the European card could completely replace the regional or national one. It was also discussed whether it would be feasible to create a card with two different sides: the national one and the European one, similar to the European Health Insurance Card (EHIC)[[8]](#footnote-8) in some Member States. This would have the advantage to reduce the amount of cards that a person has to carry but also create a link between the national disability card and the European card. The different technical solutions regarding the printing process and the material would have to be explored to make a closer comparison between the different alternatives. From EDF’s point of view it is more important to define the amount and type of information which will be given on the Card. There should be enough information for the Card holder to be identified but details about the type or level of disability are not necessary since eligibility is defined on national level.

# The challenges: What can be done to improve the Card?

The lack of harmonization concerning the definition of who is considered having a disability and the different ways of assessing the status is one of the points that has already been mentioned in the previous section. This is of course due to the nature of the huge variety of social security systems which have evolved independently over the years and only recently, with advancing integration on EU-level, has this become an issue. In the short term, EDF has accepted that this is unlikely to change. But in the long term, this is also something that will have to be tackled to facilitate the free movement of persons with disabilities in the EU.

In addition to the lack of harmonization regarding the concept of “disability”, EDF has noticed that the approach to the granting of concessions is very different from one Member State to another. Finland, for example, generally considers it more equal to grant free access or discounts to Personal Assistants (PAs) instead of the person with a disability him/herself. This is seen as less discriminatory because it cannot be perceived as receiving “charity”. While this is clearly a concept which works well in a Member State with a relatively equal re-distribution of income, the focus on the PA also means that many persons with disabilities who live independently and without the need for a PA are exempt from receiving those advantages, even though they are still recognized as having a disability.

Furthermore, the different governmental structures in the EU Member States often add additional layers of complication to the establishment of a common, harmonized Card. Member States such as Spain or Belgium which have a decentralized structure often leave the management of disability benefits up to the regional governments. There is no harmonized Card on national level and the fragmentation of the advantages and eligibility criteria makes it difficult to present a common view on EU level. Having said this, those differences have not stopped those Member States from introducing the EHIC or the EYCA for example; it is just a question of which authorities are in charge of issuing it.

It is also important for EDF that the advantages granted by the Card are as extensive and ambitious as possible – it should be a useful tool that actually provides concessions in practice and is not restricted to symbolic value. As some Member States mentioned to exclude public transport EDF would like to underline that this is a very important aspect of mobility that should definitely be covered by the Card. How this could be done is still left to be discussed. EDF has noticed that most discounts in the field of transport only apply to annual or monthly travel passes which is of little help for persons that are only visiting a Member State for a few days or weeks. Instead, one could have a closer look at different ways to grant concessions, e.g. by giving a discount on day travel cards or tourist travel passes on public transport.

 EDF encourages the Member States to be ambitious and rather take a step forward instead of limiting the possible use of the Card. Member States will also benefit from increasing tourist numbers if persons with disabilities are encouraged to travel more and feel empowered by the Card.

Finally, an important issue which is still left to be discussed is the future of the Card and its continuous promotion. EDF would like to underline that this will be an on-going project and not a one-off effort. This implies that the discounts made available with the Card should be expanded and added over time. This can be done by actively looking for new opportunities to cooperate for example with the private sector that also has an interest in broadening their customer base and promoting their facilities. As this is a more pro-active role, EDF believes that this could be done best by an organisation which is not a public body itself and which could be separate from the issuing authority of the Card. Alternatively, an agreement with another body could also mean the splitting of responsibilities. There are many options how this could be done but it is mostly important to recognize the potential of the Card and act accordingly to enhance it.

# Conclusion

In spite of some restrictions mentioned above, EDF is very pleased that the Card is starting to take shape. The Member States that are participating in the PWG are committed and are driving the project forward. It will now be left to determine how the Card will be issued and how the project will be managed.

To make the Card a success, the advantages that are available have to be as generous as possible and Card holders have to be informed about its purpose and use. A clear overview of the discounts should be provided on a dedicated accessible website or via other sources of accessible information. It should be the aim to make the Card a similar success story as the European Youth Card, which is now widely recognized throughout the EU. In order to get there, the Member States have to overcome national and regional differences to agree on a common model for the Card.

The content, however, will still be left mainly to be determined by the Member States as long as they can accept each others’ eligibility criteria. This involves a certain degree of trust but EDF would also like to point out that the amount of persons concerned who will actually use the Card will certainly not be enormous, even though EDF hopes of course that the number will grow.

Finally, the Member States involved should try not to get lost in the technical details and the political restrictions but keep in mind that this Card will make it possible for persons with disabilities to move more freely within the EU and take advantage of one of their fundamental freedoms that the EU grants to all citizens.

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**Contact person at the EDF secretariat:**

Marie Denninghaus, Mobility and Transport Officer

Tel: +32 (0) 2 286 51 84, Email: marie.denninghaus@edf-feph.org

Should you have any problems in accessing the documentation, please contact the EDF Secretariat. (Tel: +32 (0) 2 282 46 00, Email: info@edf-feph.org).

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1. <https://www.eyca.org/> [↑](#footnote-ref-1)
2. <http://www.eurewelcome.com/> [↑](#footnote-ref-2)
3. EDF Analysis Report “Towards a European Mobility Card”, EDF 2012, p.6 [↑](#footnote-ref-3)
4. EDF Freedom Guide – Paving the way towards free movement for persons with disabilities, 2011, p. 53 [↑](#footnote-ref-4)
5. For example with the Written Declaration 0008/2013 on a European card for persons with disabilities of 20 May 2013, <http://www.europarl.europa.eu/sides/getDoc.do?type=WDECL&reference=P7-DCL-2013-0008&language=EN&format=PDF> [↑](#footnote-ref-5)
6. European Commission, “EU Citizenship Report 2013 – EU Citizens: Your Rights, Your Future”, COM (2013) 269 final, <http://ec.europa.eu/justice/citizen/files/com_2013_269_en.pdf> , p. 14 [↑](#footnote-ref-6)
7. “Economic impact and travel patterns of accessible tourism in Europe – Final report summary”, European Commission – DG Enterprise and Industry, June 2014 [↑](#footnote-ref-7)
8. <http://ec.europa.eu/social/main.jsp?catId=653&langId=en> [↑](#footnote-ref-8)