



EUROPEAN
DISABILITY
FORUM

EDF recommendations on the 2021 EU Justice Scoreboard

European Disability Forum

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About the European Disability Forum

The European Disability Forum (EDF) is an umbrella organisation of persons with disabilities that defends the interests of over 100 million persons with disabilities in the European Union. We are a unique platform which brings together representative organisations of persons with disabilities from across Europe. We are run by persons with disabilities and their families, and as such represent a strong, united voice of persons with disabilities in Europe.

Introduction

The European Disability Forum welcomes the roadmap consultation on the EU Justice Scoreboard.

EDF agrees that effective justice systems are essential for the implementation of EU law and upholding the rule of law and values upon which the EU is founded, including the values of equality, non-discrimination and respect for human rights (article 2 TFEU).

As Parties to the UN Convention on the Rights of Persons with Disabilities (CRPD), the EU and all its Member States have the obligation to ensure equal access to justice of persons with disabilities (article 13 CRPD) through ensuring equality and non-discrimination (article 5 CRPD), accessibility (article 9 CRPD), including of communication and information (article 21 CRPD) and equal recognition before the law (article 12).

Background

Persons with disabilities living in the EU continue to face major barriers in accessing the justice system. As a consequence, they may not have their right to an effective remedy fulfilled in violation with article 47 of the EU Charter of Fundamental Rights, EU directives on access to justice and the CRPD which impact the EU as a whole.

The EU Justice Scoreboard is an important tool to achieve more effective justice. Unfortunately, in its current form it provides very limited information on effective access by persons with disabilities. Such information is necessary to support reforms in national justice systems required to make justice systems more effective.

The information available on persons with disabilities in the 2020 Justice Scoreboard only focused on Deaf, hard of hearing, partly sighted and blind people. It covered information on:

- “online information for visually or hearing impaired”
- Training in communication for judges on “communication with visually/hearing impaired”
- Survey conducted among court users or legal professional on “needs and satisfaction of visually/hearing impaired”

Recommendations

The European Commission must establish a “**CRPD compliant-justice**” **indicator** similar to the “child-friendly justice” indicator already existing under indicator 3.2.1 on accessibility. It should cover all types of disabilities.

The CRPD indicator should include information on:

- Availability of information in accessible formats, including digital and paper-based information, such as in Braille, Sign Language and Easy to Read
- Procedural accommodations available for persons with disabilities, including provision of Sign Language interpreters, and other accommodations
- Physical accessibility of the justice system
- Training for all legal practitioners on the rights of persons with disabilities based on the CRPD
- Measures to ensure that persons with disabilities under substituted decision making (such as guardianship) can be listened to in person and express their will and preferences
- How court surveys address, and report on the rights and satisfaction of persons with disabilities, including children with disabilities (e.g. surveys)

Accessibility-related CRPD indicators should be in accordance with EU accessibility laws, and European and international standards, in particular:

- [The Web Accessibility Directive](#) (for websites and mobile applications of courts)
- [The European Accessibility Act](#) (for other services and products procured and used by courts; e.g. self-service terminal for queuing tickets, or built environment requirements for the buildings)
- [European Standard on accessibility requirements for ICT services and products \(EN301549\)](#)
- [European Standard on accessibility and usability of the built environment \(EN17210\)](#)
- [World Wide Web Consortium \(W3C\) Web Accessibility Initiative \(WAI\) guidance on cognitive accessibility](#)
- [Council of Europe's Common European Framework of Reference for Languages](#) (we recommend not to exceed B1 (intermediate) to make information easy to understand for everyone)
- [ISO/IEC guidance on audio descriptions](#) (relevant for audiovisual informative content about court procedures for example)
- [ISO/IEC guidance on visual presentation of audio information \(including captions and subtitles\)](#)
- [ISO/IEC Guidance on the audio presentation of text in videos, including captions, subtitles and other on-screen text \(i.e. audio subtitling\)](#).

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