



10 Disability Priorities for the Slovenian Presidency 2021

May 2021



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Introduction

The European Disability Forum is an independent umbrella organisation of persons with disabilities that represents the interests of more than 100 million Europeans with disabilities. EDF is a unique platform which brings together representative organisations of persons with disabilities from across Europe, run by persons with disabilities and their families. EDF is a member of the Social Platform and works closely to the European institutions, the Council of Europe and the United Nations. In this document, you will find a short summary of policy items that will be decided or discussed under the Slovenian Presidency. We are looking forward to continued discussions throughout the 6-month Presidency's term with the different services involved at national level and in Brussels, in order to contribute to advancing the rights of persons with disabilities.



Glossary

Concluding observations (of the CRPD Committee): document adopted by the CRPD Committee as part of the review mechanisms of the implementation of the Convention on the Rights of Persons with Disabilities in States Parties. The document contains areas of concerns and recommendations for improvement.

Discrimination: any distinction, exclusion or restriction on the basis of one or several grounds (sex, race, disability, sexual orientation, gender identity, etc.) which damage or nullify the recognition, enjoyment or exercise, on an equal basis with others, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field (see Chapter 2).

Disabled people's organisations (DPOs) / organisations of persons with disabilities: organisations comprising a majority of persons with disabilities that represent the interests and defend the human rights of persons with disabilities through self-representation and advocacy.

United Nations Convention on the Rights of Persons with Disabilities (CRPD): an international human rights treaty that reaffirms that all persons with disabilities must enjoy all human rights and fundamental freedoms. It clarifies that all persons with disabilities have the right to participate in civil, political, economic, social and cultural life of the community just as anyone else.



Top 10 Disability Priorities

1. Implement the UN Convention on the Rights of Persons with Disabilities (CRPD)

The UN Convention on the Rights of Persons with Disabilities (CRPD) is ratified by the European Union and all its Member States. Disability rights must be therefore considered in the development of all policies and legislation.

EDF Recommendations:

- Create a focal point within the Council for the implementation of the CRPD and a Working Group on the CRPD.
- Mainstream disability issues in all new and revised EU legislation and in relevant policies affecting the lives of persons with disabilities.
- Ensure a disability inclusive post-COVID recovery including a focus on the Recovery and Resilience Facility (RRF), access to healthcare, the global perspective on the pandemic, and future initiatives on disaster risk reduction and preparedness.

Additional information:

- [Text of the UN Convention on the Rights of Persons with Disabilities](#)
- [2015 Concluding Observations of the CRPD Committee to the EU](#)



2. Implement the EU Disability Rights Strategy 2021-2030

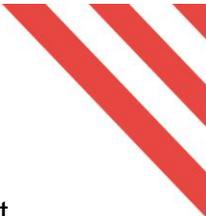
The new EU Disability Rights Strategy 2021-2030 outlines some priority initiatives but has to be implemented in an ambitious way and complemented by additional concrete policy actions. It also outlines some specific initiatives that concern the Council and the Member States.

EDF Recommendations:

- **nominate the Council's disability coordinator**, as foreseen in the Strategy, and make it publicly known. Participate in the new be part **Disability Platform**.
- Establish an **interinstitutional coordination mechanism** between the Commission, the Parliament and the Council
- call upon the Commission to initiate its work with the Council to **update the EU declaration of competences** with regards to matters governed by the CRPD as recommended by the CRPD Committee in 2015 and included in the Strategy.
- commit to follow-up on **actions for Member States** which are part of the Strategy
- make reference to **the flagship initiatives**, highlighting next steps from the Council to support their full implementation.
- Require an **external Disability Action Plan** to guide the work of the EU in combating all forms of discrimination in its global work and support the implementation of the UNCRPD

Additional information:

- [EDF Position on the Disability Rights Strategy 2021-2030](#)



3. Promote equal rights

Persons with disabilities continue to face discrimination in their daily lives, in employment, education, access to health and good and services. Persons with disabilities are also victims of intersectional and multiple forms of discrimination. For example, the 60 million women and girls with disabilities in Europe can face intersectional discrimination based on both gender and disability. They are more likely to be marginalised and excluded in all fields of life, included education and employment, to live in poverty and become victims of crime, including violence.

EDF recommendations:

- Adopt the Horizontal Equal Treatment Directive.
- Ensure disability is mainstreamed in the implementation of the Gender Equality Strategy and Victims' Rights Strategy, and the perspective of women and girls with disabilities included in the implementation of the Disability Rights Strategy.
- Support the EU's accession to the Istanbul Convention on violence against women, add violence against women and hate speech and hate crime to the list of EU crimes and adopt an EU Directive criminalising all forms of male violence against women and girls (including forced sterilisation), and providing assistance and support to all women and girls victims.
- Ensure that the proposed Directive on Pay Transparency also addresses the disability gap faced by women with disabilities.
- Oppose to the adoption by the Council of Europe of the draft additional protocol to the Oviedo Convention on involuntary treatment and placement, through an informed discussion in COHOM following the duty of sincere cooperation of EU Member States in implementation of the CRPD

Additional information:

- [EDF position and recommendation on hate speech and hate crimes](#)
- [EDF position paper on violence against women and girls with disabilities](#)
- [EDF MHE campaign against the adoption of the draft additional protocol to the Oviedo Convention](#)



4. Transparent and participatory decision-making

Persons with disabilities are currently excluded from the decision-making procedure at the level of the Council. The lack of timely, accessible information and consultation is a breach of the CRPD and leads to non-compliant EU legislation. This needs to be fixed. Furthermore, all meetings and events of the Presidency both on-line and in person should be accessible for persons with disabilities.

EDF Recommendations:

- Meetings and decisions of Working Parties and COREPER should be public, made immediately available in accessible formats. Live-stream meetings of all Council configurations; publish full agendas ahead of meetings; publish full meetings and decisions immediately after
- Actively involve Disabled Persons' Organisations (DPOs) in the decision-making procedure. Invite civil society representatives to attend meetings and present policy positions
- Make all Presidency events, both online and in person, fully accessible (see our guidance below)

Additional information:

- [EDF Guide on Accessible Meetings](#)
- [EDF Guide on Accessible Online Meetings](#)



5. Protect Social Rights

EDF is working to keep up the momentum of the Social Pillar and advocates in the areas of access to employment, inclusive education, social protection, fighting poverty and social exclusion, as well as de-institutionalisation and the right to live in the community.

EDF Recommendations:

- Produce strong proposals for the Pillar of Social Rights, mainly for Principles 17 on inclusion of persons with disabilities and 20 on access to services.
- Protect people from risk of poverty by extending the EU's work on minimum income, pushing for the compatibility of disability allowance with other types of income, and investing in the availability of accessible goods and services.
- Work for better disaggregated data collection on persons with disabilities, including on people living in institutions.

Additional information:

- [EDF Human Rights Report on Poverty and Social Exclusion](#)
- [EDF Position on the Social Pillar Action Plan](#)
- [EDF Analysis of the Social Pillar Action Plan](#)

6. Make freedom of movement a reality

Freedom of movement of persons is one of the 4 pillar of the EU but for persons with disabilities, it only exists in theory. There are still too many obstacles to move freely between the different Member States to work or study. The lack of portability of social security and disability benefits, the lack of recognition of disability assessment status, and lack of accessibility provisions under European exchange programmes are some of the problems persons with disabilities encounter every day.

The European Disability Card can be part of improving freedom of movement, even though it will not solve the problem by itself. The same is true for inclusive ERASMUS+ and Solidarity Corps Programmes.

EDF Recommendations:

- Adopt a legally binding Disability Card in all EU Member States as promised in the Disability Rights Strategy 2021-2030
- Make sure disability assessment and certification of disability status is mutually recognised between EU Member States
- Provide reasonable accommodation for persons with disabilities under the ERASMUS+ and Solidarity Corps to access the programmes on an equal basis with others, and provide all the necessary information in accessible formats.

Additional information:

- [EDF position on the European Disability Card](#)
- [EDF position on an inclusive ERASMUS+](#)



7. Accessible ICT and the Digital Single Market

Accessible technologies can enable access to the labour market, an independent life, and participation in all aspects of society. Accessibility is best achieved and most cost effective when incorporated from the outset, and it also represents a potential business opportunity. Guidelines and standards to address accessibility are already in place with benefits for all users. However, when they are available, affordable and accessible, persons with disabilities use ICTs to a greater extent than their peers to overcome some of the barriers they find in the offline world.

EDF Recommendations:

- Ensure accessibility in the Digital Services Act (DSA) and Digital Markets Act (DMA)
- Ensure accessibility and fundamental rights of persons with disabilities in the EU Artificial Intelligence Regulation
- Support the transposition of the European Accessibility Act in the Member States: Take additional policy measures to complement it in the areas of transport and build environment.
- Support the implementation of the Web Accessibility Directive
- Support the implementation of the Audio-Visual Media Services Directive
- Support the implementation of the European Electronic Communications Code

Additional information:

- [EDF Toolkit on the transposition of the European Accessibility Act](#)
- [EDF Position on the DSA and DMA](#)
- [EDF recommendations for Artificial Intelligence that does not discriminate](#)
- [Red Lines for the use of Artificial Intelligence](#)
- [“Plug and Pray?” – A Disability Perspective on Artificial Intelligence, Automated Decision-Making, and Emerging Technologies](#)



8. Accessibility of transport and Passenger' Rights

Accessibility of vehicles, stations, stops, and infrastructure is necessary. We already have EU legislation on rail accessibility and on passengers' rights, but there are still many gaps that need to be filled. Especially in urban transport there are currently hardly any EU level accessibility requirements or rights for passengers. Existing legislation also needs to be implemented and enforced more strictly to allow independent, spontaneous travel for everyone.

EDF recommendations:

- Limit the exemptions granted under the recast Rail Passengers' Rights Regulation and implement it as soon as possible
- Ensure that accessibility is included in the revised Urban Mobility Package and that accessibility is obligatory for Sustainable Urban Mobility Plans
- Strengthen and mainstream accessibility requirements during revision of the TEN-T Regulation.
- Adopt the Air Passengers' Rights Regulation (261/2004) and waive the liability restrictions of airlines in case of loss, damage, or destruction of mobility equipment for persons with disabilities: We ask the Council to ensure that the liability restrictions of airlines in case of loss, damage, or destruction of mobility equipment are waived for persons with disabilities. EDF supports the requirement proposed by the European Commission to give persons with disabilities the possibility to fill out a special declaration of interest free of charge.
- Establish a multimodal, seamless and accessible travel chain and ticketing system that will enable persons with disabilities to travel spontaneously and independently.
- Stricter enforcement of the Passenger Rights legislation and better implementation and quality control of the assistance at airports and stations.
- Support launching revision of the TSI-PRM regulation to address big structural accessibility issues for rail transport.

Additional information:

- [EDF analysis of the recast of the Rail Passengers' Rights Regulation 2021](#)
- [EDF position on the Trans-European Network Regulation](#)
- [EDF position on Air Passengers' Rights](#)



9. An inclusive Green Deal for Europe

Persons with disabilities are disproportionately impacted by Climate Change, but the measures of the EU Green Deal also have the potential to benefit persons with disabilities directly. We need a “just transition” to make sure that the Green Deal benefits also social change and increases accessibility and affordability especially of transport and housing.

EDF recommendations:

- Ensure that the revised Energy Performance of Buildings Directive (EPBD) includes requirements on accessibility for persons with disabilities
- The New European Bauhaus needs to have a clear link to accessibility following a Universal Design approach
- Actions derived from the Smart and Sustainable Mobility Strategy have to be inclusive of persons with disabilities
- The “Renovation Wave” needs to ensure future-proof housing for an ageing population and sustainability also needs to include accessibility.
- Ensure that the Alternative Fuels Infrastructure Directive makes accessible charging and refuelling of vehicles compulsory

Additional information:

- [EDF position on an inclusive Green Deal for Europe](#)
- [EDF analysis of the EU's Sustainable and Smart Mobility Strategy](#)
- [What is the New European Bauhaus and what can it deliver for persons with disabilities? \(EDF website article\)](#)

10. Champion the rights of persons with disabilities worldwide

The EU is the only regional body in the world to have ratified the CRPD. Globally, it is also one of the largest donors of overseas development assistance (ODA) and a major trade partner of numerous countries in the global south. The EU must lead by example and must apply its leadership as a champion of the rights of persons with disabilities where there is the greatest added value to generate substantial changes.

EDF recommendations:

- Actively engage with persons with disabilities and European DPOs in international cooperation as experts to guide the work of the EU globally.
- Ensure that the EU's external delegations are inclusive of and accessible to persons with disabilities and include local DPOs in civil society dialogues.
- Ensure workers in EU external delegations receive training on disability issues, the CRPD and the human rights of persons with disabilities, including women and girls with disabilities, in the areas of international cooperation, emergency response and humanitarian aid.
- Invest in spreading awareness of disability rights in all countries beyond the EU where European funds are used.
- Ensure a strong engagement of the EU in all its international engagement including within the bilateral and multilateral donors network called the "Global Action on Disability (GLAD) network" as well as in the preparation of the next Global Disability Summit 2022, organised by Norway.
- Ensure the implementation of the ECHO "Guidance note on the inclusion of persons with disabilities in EU-funded humanitarian aid operations" in line with the Charter on Inclusion of Persons with Disabilities (2016) and the Inter-Agency Standing Committee (IASC) Guidelines on Inclusion of Persons with Disabilities in Humanitarian Action (2019).
- Ensure the full and effective implementation of the Sendai framework for disaster risk reduction (DRR) 2015, by using and improving the Sendai framework EU action plan.

Additional Information:

- EDF position paper "[EU global role in COVID 19 response and impact on lives of persons with disabilities](#)" (April 2021)
- "[Impact of COVID-19 on the lives of people with disabilities](#)" – Insight and stories from Bangladesh and Kenya (October 2020)
- [EDF Guidance note on the role of European organisations of persons with disabilities in International Cooperation \(December 2019\)](#)



Important dates

- 20 November 2021: Conference on Intermodal Mobility and the Disability Card for Persons with Disabilities, Ljubljana, Slovenia

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