 

Input for the List of Issues Prior to Reporting for the second review of the EU by the CRPD Committee

Contribution by the European Disability Forum (EDF) and the International Disability and Development Consortium (IDDC)

[About us 1](#_Toc95750103)

[Context 2](#_Toc95750104)

[Executive summary 2](#_Toc95750105)

[EDF and IDDC’s main concerns on EU CRPD implementation 3](#_Toc95750106)

[Consultation and involvement of persons with disabilities (Article 4.3 CRPD and Article 33.3 CRPD) 3](#_Toc95750107)

[Women with disabilities (Article 6 CRPD) 3](#_Toc95750108)

[Children with disabilities (Article 7 CRPD) 4](#_Toc95750109)

[Accessibility (Article 9 CRPD) 4](#_Toc95750110)

[Situations of risk and humanitarian emergencies (Article 11 CRPD) 5](#_Toc95750111)

[Living independently and being included in the community (Article 19 CRPD) 5](#_Toc95750112)

[Data collection (Article 31 CRPD) 6](#_Toc95750113)

[International cooperation (Article 32 CRPD) 6](#_Toc95750114)

[CRPD Implementation and monitoring (Article 33 CRPD) 8](#_Toc95750115)

[Glossary 8](#_Toc95750116)

[Contact 9](#_Toc95750117)

# About us

**European Disability Forum (EDF):** [EDF](https://www.edf-feph.org/) is an umbrella organisation of persons with disabilities that defends the interests of Europeans with disabilities. EDF is a strong, united voice of persons with disabilities in Europe. EDF also plays an active role in ensuring persons with disabilities and their representative organisations are included in EU external action.

**International Disability and Development Consortium (IDDC)**: [IDDC](https://www.iddcconsortium.net/) is a global consortium of disability and development non-governmental organisations (NGOs), mainstream development NGOs and representative organisations of persons with disabilities (OPDs) supporting disability and development work in more than 150 countries around the world. The aim of IDDC is to promote rights-based disability inclusive development and humanitarian action.

EDF and the European Union (EU) Task Group of IDDC work together to advocate for the rights and inclusion of persons with disabilities in the EU’s policies, programmes and partnerships related to the external action, international cooperation and humanitarian action.

# Context

The European Union (EU) is a unique economic and political union between [27 EU countries](https://europa.eu/european-union/about-eu/countries/member-countries_en) that together cover much of the European continent.

The EU is one of the largest donors of overseas development assistance (ODA) and as a global actor is in a strong position to contribute to making international development cooperation and humanitarian action more inclusive of and accessible to persons with disabilities.

The EU was the first regional organisation to ratify the UN Convention on the Rights of Persons with Disabilities (CRPD) in 2010. It was reviewed for the first time by the UN Committee on the Rights of Persons with Disabilities (CRPD Committee) in 2015.

Since 2018, all the EU Member States have ratified the CRPD.

Since 2015, two consecutive colleges of Commissioners have led the work of the European Commission (the executive body of the EU). The current [college of Commissioners](https://ec.europa.eu/commission/commissioners/2019-2024_en) is composed of 27 Commissioners from each EU member state who are assigned responsibility for a specific policy area for a 5-year term (2019-2024). The implementation of the CRPD is under the mandate of the [Commissioner for Equality](https://ec.europa.eu/commission/commissioners/2019-2024/dalli_en) who also has the responsibility of strengthening Europe’s commitment to inclusion and equality in all its senses and for leading the fight against discrimination. EU Commissioner portfolios related to EU external action include: [High Representative/Vice-President](https://ec.europa.eu/commission/commissioners/2019-2024/borrell-fontelles_en) for A Stronger Europe in the World, responsible for coordinating the EU’s external action, promoting the EU as a global leader, and improving the link between internal and external aspects of the Commission’s policies; [Commissioner for Crisis Management](https://ec.europa.eu/commission/commissioners/2019-2024/lenarcic_en), responsible for EU humanitarian action and disaster risk reduction as well as supporting countries most exposed to climate change to adapt and boost their resilience; [Commissioner for International Partnerships](https://ec.europa.eu/commission/commissioners/2019-2024/urpilainen_en), responsible for building inclusive and equitable partnerships to reduce global poverty and support sustainable development as well as for overseeing the EU’s international cooperation and development policy.

# Executive summary

This joint submission by the European Disability Forum (EDF) and the International Disability and Development Consortium (IDDC) focuses on the EU’s implementation of the Convention on the Rights of Persons with Disabilities (CRPD) in its external action beyond Europe. EU external action refers to EU policies, programmes and partnerships related to international cooperation and partnerships, humanitarian action and disaster risk reduction, as well as to the EU’s role as a global actor in multilateral spaces. This submission complements the alternative report submitted to the CRPD Committee by EDF on 14 February 2022.

We focus on Article 11 (on Situations of risk and humanitarian emergencies) and Article 32 (on International Cooperation) but we recognise that other CRPD Articles are important for the EU’s implementation of the CRPD in its external action and for the EU to ensure coherence between their internal and external policies and programmes. We, EDF and IDDC, outline our key concerns and provide suggested questions to be addressed in the List of Issues Prior to Reporting.

EDF and IDDC are concerned that while progress has been made since the EU’s review by the CRPD Committee in 2015, many of the recommendations made in the Concluding Observations related to Articles 11 and 32 remain incomplete and unfulfilled.

In 2021, the European Union (EU) adopted its new 10-year Strategy for the rights of persons with disabilities, [Union of Equality: Strategy for the rights of persons with disabilities 2021-2030](https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8376&furtherPubs=yes), which will guide the EU’s implementation of the CRPD and aims to ensure the rights of persons with disabilities, here in Europe and beyond are respected, protected and fulfilled. The EU Disability Rights Strategy should enable the EU institutions and EU Member States to take the most relevant actions to generate the most needed changes to have a positive impact on millions of people around the world. However, while Section 6 on ‘Promoting the rights of persons with disabilities globally’ recognised the importance of disability inclusion and CPRD implementation in all EU external action, it was incomplete and inconsistent; it fell short on the specific actions; and there was no clear timeline or funding allocations for its implementation and monitoring.

The [joint EDF-IDDC analysis of the EU Strategy for the rights of persons with disabilities 2021-2030](https://www.iddcconsortium.net/blog/edf-iddc-analysis-of-the-eu-strategy-for-the-rights-of-persons-with-disabilities-2021-2030/) presents key proposals and recommendations to reinforce the Strategy’s external action component around four priorities: meaningful participation, coordination, means of implementation, and leadership. There is also an Annex containing deeper analysis on these topics, as well as additional recommendations.

# EDF and IDDC’s main concerns on EU CRPD implementation

## Consultation and involvement of persons with disabilities (Article 4.3 CRPD and Article 33.3 CRPD)

There is no clearly structured or documented process for the consultation of persons with disabilities and their representative organisations (DPOs/OPDs). Consultation continues to be ad hoc across all institutions. In some institutions and bodies, such as the Council, there is no consultation or minimal involvement. While both the EU Disability Rights Strategy 2021-2030 and the revised [EU Human Rights Based Approach Toolbox](https://ec.europa.eu/international-partnerships/news/taking-forward-commitment-reducing-inequalities-human-rights-based-approach-toolbox-adopted_en) recognise the importance of meaningful consultation and involvement of persons with disabilities, in reality for EU external action, there is usually little or no systematic consultation with national or regional DPOs either in Brussels or by the EU Delegations in partner countries.

The Disability Platform is the EU’s new mechanism to support the implementation of the EU Disability Rights Strategy 2021-2030. It is unclear on how EU external action to promote the rights of persons with disabilities globally will be included in the work of the Disability Platform, as there is nothing planned on the topic in its 2022 work programme.

**Suggested questions with a focus on EU external action:**

* What steps will the EU take to ensure that organisations of persons with disabilities (DPOs) are identified and supported to participate meaningfully in the EU’s external action policy and programming processes, including in EU Delegations’ local and regional civil society dialogues?
* What steps will the EU take to ensure that EU external action is included in the work of the Disability Platform?

## Women with disabilities (Article 6 CRPD)

EU laws and policies on gender equality and disability do not fully take into consideration the rights and needs of women and girls with disabilities. Women with disabilities continue to face higher risk to violence than other women, more discrimination than men with disabilities in access to employment, education and health, and they are exposed to human rights abuses such as forced sterilisation. Both the EU Gender Equality Strategy 2020-2025 and the [EU Action Plan on Gender Equality and Women’s Empowerment in External Action 2021-2025](https://ec.europa.eu/commission/presscorner/detail/en/ip_20_2184) (GAP III) refer to women and girls with disabilities. However, women and girls with disabilities are not systematically reached in the EU’s international cooperation. The EU GAP III country level implementation plans do not systematically include an intersectional approach. Consultations with civil society on the GAP III implementation, including those at country level, often do not include the voices of women and girls with disabilities, including through providing accessibility and reasonable accommodation.

Intersectionality is established as a core element of the EU Disability Rights Strategy with a vision to scale up the fight against discrimination. This is a strong and welcomed commitment made by the EU. Relevant connections are made with the existing EU external policies and action plans such as the [EU Action Plan on Human Rights and Democracy 2020-2024](https://eeas.europa.eu/sites/default/files/eu_action_plan_on_human_rights_and_democracy_2020-2024.pdf) and the EU Gender Action Plan where intersectionality is amongst the core principles along with adopting a gender-transformative and rights-based approach. However, mutual connections for implementation and addressing intersectionality in all targeted actions need to be further developed.

**Suggested questions with a focus on EU external action:**

* What steps will the EU and the EU Delegations take to ensure that women and girls with disabilities are systematically included, involved and counted in all EU’s work, including its global work and in partner countries?
* How will the EU translate its commitment to intersectionality into concrete action, especially in terms of improving inclusive and meaningful consultations, inclusive and detailed data collection, inclusive programme implementation and monitoring? Will tools be developed to guide EU staff and provide them with technical assistance? Will EU staff, including those in EU Delegations, and EU-funded programme implementers be specifically trained on this?

## Children with disabilities (Article 7 CRPD)

The [EU Child Rights Strategy](https://ec.europa.eu/info/files/eu-strategy-rights-child-graphics_en) 2021-2024 and the [EU Youth Action Plan](https://europa.eu/youth/strategy_en#:~:text=The%20EU%20Youth%20Strategy%20focuses,European%20Youth%20Goals%20were%20developed.) 2019-2027 both refer to intersectionality and include an external dimension. However, the rights of children and youth with disabilities are not properly mainstreamed. The voices of children and youth with disabilities are often not included in consultations and accountability mechanisms to monitor the implementation.

**Suggested questions with a focus on EU external action:**

* What measures will the EU take to ensure that the rights and the voices of children and youth with disabilities are properly heard in EU child and youth policies with an external dimension, including children and youth from EU partner countries?

## Accessibility (Article 9 CRPD)

EU-aid related information and facilities are not entirely accessible. Consultations and civil society dialogues are often not fully accessible to all persons with disabilities. No standard accessibility requirement is used in the EU public procurement rules, and call for tenders, to grant EU aid money to contractors and implementing partners. The modalities and procedures put in place by the EU represent major obstacles for DPOs to access EU funding.

**Suggested questions with a focus on EU external action:**

* What measures is the EU taking to ensure that all EUs consultation processes and buildings, including the EU Delegations and ECHO field offices in partner countries, are fully accessible?
* What steps will the EU take to ensure that all public procurement, including for its international cooperation and humanitarian action, includes mandatory standards on accessibility for any international cooperation projects relating to infrastructure, ICT and public administration and services?
* What procedures are in place to ensure that all EU-funded projects follow international accessibility standards, and are accessible and available to DPOs?

## Situations of risk and humanitarian emergencies (Article 11 CRPD)

**Humanitarian action:**

In 2019, the Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO) published a [Guidance Note on the Inclusion of Persons with Disabilities in EU-funded Humanitarian Aid Operations](https://ec.europa.eu/echo/sites/echo-site/files/2019-01_disability_inclusion_guidance_note.pdf). However, the EU Disability Rights Strategy includes no mention of how this Guidance Note will be implemented or monitored, and no mention at all of how the EU plans to align its practical humanitarian guidance to the 2019 [IASC Guidelines on Inclusion of Persons with Disabilities in Humanitarian Action](https://interagencystandingcommittee.org/iasc-task-team-inclusion-persons-disabilities-humanitarian-action/documents/iasc-guidelines).

The 2021 version of [DG ECHO partners’ reporting guidelines](https://www.dgecho-partners-helpdesk.eu/reference-documents-ngo) (the ‘Single Form’) advises prioritising the involvement of persons with disabilities (among other ‘diverse groups’) in project implementation; 'encourages' the use of the [Washington Group Short Set of questions](https://www.washingtongroup-disability.com/question-sets/wg-short-set-on-functioning-wg-ss/) in data disaggregation; and mentions mainstreaming of disability at various steps of the programme cycle. However, there is no reporting indicator that would measure the degree of success of any of these initiatives. There is also no routine training of partners on disability inclusion, either as disability-specific modules or with the topic integrated in ongoing mainstream training.

**Refugees and disaster risk reduction:**

The EU has not properly mainstreamed disability in its migration and refugee policies and disaster risk reduction action plan. This is very worrying in light of the increasing number of natural disasters and movement of population due to natural, economic and political situations.

**Suggested questions in relation to CRPD Article 11:**

* What measures is the EU taking to ensure that all aspects of its humanitarian action and disaster risk-reduction policies and programmes, including on refugees and migration are inclusive of and accessible to all persons with disabilities?
* What steps will the EU take to establish a monitoring and accountability framework for the implementation of any related policies, guidelines and programmes?
* What procedures are in place to ensure that all EU-funded projects under DG ECHO meaningfully involve and reach persons with disabilities, train staff and partners and report on inclusive implementation?

## Living independently and being included in the community (Article 19 CRPD)

The EU is the biggest development and humanitarian aid donor in the world, and is in a prime position to address the ongoing social exclusion and segregation of persons with disabilities in institutions. It is estimated that between 5 and 6 million children live in institutions worldwide. No overall figure exists in relation to adults and older people with disabilities. However, due to the complexity of EU funding and a lack of transparency, it is very difficult to understand to what extent the EU facilitates access to the right to live independently and being included in the community around the world.[[1]](#footnote-1)

**Suggested questions with a focus on EU external action:**

* How does the EU ensure that its funds are used to support deinstitutionalization and the rights of all children and adults with disabilities to live independently and be included in the community around the world?

## Data collection (Article 31 CRPD)

The EU does not have a systematic approach to collect and analyse inclusive and intersectional data, and data is not disaggregated by different types of disability and age. Very limited reliable data on persons with disabilities is currently available and a precise assessment of the situation of persons with disabilities in EU partner countries is therefore not possible.

Regarding data for humanitarian action, the latest version of DG ECHO partners’ reporting guidelines encourages the use of the [Washington Group Short Set of Questions](https://www.washingtongroup-disability.com/question-sets/wg-short-set-on-functioning-wg-ss/) in data disaggregation. However, this is not obligatory and there is no reporting indicator that would measure its degree of implementation.

**Suggested questions with a focus on EU external action:**

* What steps will the EU take to align its data collection to the Sustainable Development Goals and disaggregate data by disability, gender and age, using the Washington Group Set of Questions? What steps will the EU take to design, implement and monitor a comprehensive human rights-based indicators system to track progress of the EU against the implementation of its CRPD obligations?
* How will the European Commission and the European External Action Service (EEAS) support its EU Delegations and its partner countries to collect quality and comparable data which is disaggregated by disability, gender and age at a minimum?
* What steps will the European Commission and EEAS take to ensure better inclusive and intersectional analysis of the situation of persons with disabilities and of the barriers faced across different sectors in the EU’s partner countries?

## International cooperation (Article 32 CRPD)

**Disability inclusive development and international cooperation**:

Although the EU is the largest donor in the field of international cooperation, it has not yet undertaken all appropriate measures to enhance EU disability-inclusive development policies and programmes. For example, there is no Disability Action Plan planned similar to the EU Action Plan on Gender Equality and Women’s Empowerment in External Action or to the Human Rights and Democracy Action Plan in EU global actions. This creates incoherence in policies and programmes established with European funds and more barriers for persons with disabilities in the world to be part of EU policies and programmes. Any Disability Action Plan should be in line with the CRPD-compliant implementation of the 2030 Agenda for Development and Sustainable Development Goals (SDGs), the Agenda for Humanity, the Sendai Framework, and the Paris Agreement on Climate Change. The perspectives and voices of persons with disabilities, in particular of women and girls with disabilities are not systematically included in EU global or external action policies.

Resources, training and practical tools and guidance are not in place, for both staff and implementing partners. There is not sufficient information, training and guidance given to all relevant staff located within the 140 EU Delegations around the world or to EU staff in Headquarters.

**EU on promoting the rights of persons with disabilities globally:**

The European Commission has committed to enhancing the EU’s political profile as a leading disability rights advocate in the global scene. In the EU Disability Rights Strategy, emphasis was placed on the role of the EU in multilateral fora and on policy dialogues with partner countries.

However, in the EU Disability Rights Strategy there is no mention of the EU leadership and participation to promote disability rights in key fora related to global mainstream development and humanitarian action. It would have significant impacts if, for example, the EU would apply this global leadership in the monitoring and reporting mechanisms of the 2030 Agenda for Sustainable Development, especially the High-Level Political Forum (HLPF) on Sustainable Development; the UN Conference of the Parties on Climate Change (COP); and the Regional Forum for Disaster Risk Reduction (DRR).

**Climate Action:**

The EU’s climate goals and policies do not focus sufficiently on the social aspects of sustainability and Disaster Risk Reduction, both within Europe and also in its global work in international cooperation and humanitarian action. Neither mitigation nor adaptation planning take persons with disabilities sufficiently into account. Going forward any negotiations on climate finance in respect of those most affected by the climate crisis must take into consideration the needs of persons with disabilities.

Although the EU Disability Rights Strategy (Section 5.6) recognises the impact of climate change on persons with disabilities and the need to ensure that the green transition is fully inclusive, there is no explicit mention of this as part of EU external action in the European Disability Strategy Section 6. Similarly, the new [EU Strategy on Adapting to Climate Change](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52021DC0082&from=EN) (2021) makes no reference to participation of persons with disabilities, through their representative organisations, in its implementation.

**Suggested questions in relation to Article 32:**

* What steps will the EU take to design, adopt and monitor the implementation of an EU Disability Action Plan on its global work to promote the rights of persons with disabilities and to ensure that all its external action, international cooperation and partnerships, climate action and humanitarian aid policies and programming is CRPD compliant (e.g. similar EU Action Plans have already been created for mainstreaming gender equality and human rights and democracy[[2]](#footnote-2))?
* What plans does the EU have to properly assign a disability focal point focusing on disability-inclusive international cooperation that would provide for guidance and training on CRPD implementation to the EU Delegations around the world, and would have sufficient human and financial resources to do so? What plans does the EU have to train and build the capacity of EU staff (including the EU focal point, the EU Delegations, DG ECHO field staff), and for EU Member State agencies in partner countries, on the CRPD implementation, also by involving representative DPOs and civil society organisations?
* As part of its global leadership, how does the EU envisage championing disability rights into mainstream development, humanitarian and human rights fora (such as the UN High Level Political Forum (HLPF), the UN Conference of the Parties on Climate Change (COP), the UN Human Rights Council, the European Forum for DRR) where there is a great need for disability rights champions, and where there are also very broad outreach opportunities?

## CRPD Implementation and monitoring (Article 33 CRPD)

The EU has neither nominated focal points in all institutions, agencies and bodies nor established an inter-institutional mechanism for the coordination of the implementation of the Convention between the European Commission, European External Action Services (EEAS), the European Parliament and the Council. In EU Delegations, it is not always clear if there is a focal point for disability and CRPD implementation, and in many cases there is not.

**Suggested questions with a focus on EU external action:**

* In relation to its external action, how will the EU institutions work together to prepare and follow-up on the CRPD committee review of the EU’s implementation of the CRPD? How will the recommendations that the EU will receive from the CRPD committee impact the implementation of the remaining years of the Strategy?
* How will the EU ensure better coherence and coordination on CRPD implementation across its internal and external policies and programmes?

# Glossary

**Council of the European Union**: the institution representing the Member States’ governments and where national heads of government or ministers from each EU country meet to adopt laws and coordinate policies.

**Directorate General for International Partnerships (**[**DG INTPA**](https://ec.europa.eu/international-partnerships/home_en)**):** is responsible for formulating the EU’s international partnership and development cooperation policy and programmes, with the ultimate goal to reduce poverty, ensure sustainable development, and promote democracy, human rights, and the rule of law across the world.

**Directorate General for European Civil Protection and Humanitarian Aid Operations (**[**DG ECHO**](https://ec.europa.eu/echo/index_en)**)**: is responsible for EU humanitarian action and civil protection - its main mission is to preserve lives, prevent and alleviate human suffering and safeguard the integrity and dignity of populations affected by natural disasters and man-made crises.

**Directorate General for European Neighbourhood Policy and Enlargement Negotiations (**[**DG NEAR**](https://ec.europa.eu/neighbourhood-enlargement/index_en)**):** is responsible for EU policy on enlargement and the EU’s partnerships and policies with its eastern and south neighbouring countries.

**European Commission**: the EU’s politically independent executive arm. Its core responsibilities include proposing EU laws and policies and monitoring their implementation.

**European Union Delegation**: the EU is represented through over 140 EU Delegations and Offices around the world which manage development and cooperation programmes while representing the EU in partner countries.

**European External Action Service (**[**EEAS**](https://eeas.europa.eu/)**):** the EU’s diplomacy service, the EEAS manages EU external action policies, strategies, and funding instruments. It is also responsible for the 140 EU Delegations around the world.

**European Parliament:** the elected parliamentary institution of the European Union which has the role to adopt EU legislation. Members of the European Parliament (MEPs) are elected in European elections every five years.

**Member State (of the European Union, EU)**: the EU consists of 27 countries, also called Member States. Each Member State is party to the founding treaties of the Union, and thereby subject to the privileges and obligations of membership. Unlike members of most international organisations, the Member States of the EU are subjected to binding laws.

**Global Europe - Neighbourhood, Development and International Cooperation Instrument (**[**NDICI**](https://ec.europa.eu/international-partnerships/global-europe)**):** EU financial instrument which will fund the biggest share of funding for EU cooperation and external action from 2021-2027 - the EU’s main tool to contribute to eradicating poverty and promoting sustainable development, prosperity, peace and stability.

# Contact

**EDF** - An-Sofie Leenknecht, EDF Human Rights Coordinator (ansofie.leenknecht@edf-feph.org)

**IDDC** - Sarah Hull, European Union Task Group Co-Coordinator (s.hull@light-for-the-world.org)

1. [Report “Role of the European Union funding in supporting deinstitutionalisation around the world](https://www.edf-feph.org/content/uploads/2022/02/PDF-ENIL-EDF-DI-Global-Report.pdf)”, written by the European Network on Independent Living for the European Disability Forum (February 2022). [↑](#footnote-ref-1)
2. The EU Action Plan on Gender Equality and Women’s Empowerment in External Action [EU Action Plan on Gender Equality and Women’s Empowerment in External Action III](https://ec.europa.eu/commission/presscorner/detail/en/IP_20_2184) 2021-2025 and the [EU Action Plan on Human Rights and Democracy](https://www.consilium.europa.eu/media/46838/st12848-en20.pdf) 2020-2024 [↑](#footnote-ref-2)