



The EU Accession Process: Guidance for Organisations of Persons with Disabilities

**European Disability Forum Toolkit
October 2024**

The Guidance was developed under the Ukraine (Phase 2) project with funding from CBM.



This document was prepared by Iryna Tekuchova, PhD researcher, Maynooth University (Ireland).

Supervised by Giulia Traversi, EDF Humanitarian Policy Officer.



The European Disability Forum
Mundo Madou
Avenue des Arts 7-8
1210 Brussels, Belgium.

www.edf-feph.org
info@edf-feph.org

Table of Contents

| | |
|---|---|
| About the European Disability Forum | 3 |
| Background information | 3 |
| Why is it important for OPDs to participate in the accession process? | 4 |
| At what stage are Ukraine, Moldova, and Georgia in the accession process? | 5 |
| How to participate for the OPDs in the accession process? | 6 |
| What should you know before deciding to engage in the accession process? | 7 |

About the European Disability Forum

The European Disability Forum is an independent NGO that advocates for the rights of 100 million Europeans with disabilities. EDF is a unique platform which brings together representative organisation of persons with disabilities from across Europe. EDF is run by persons with disabilities and their families. We are a strong, united voice of persons with disabilities in Europe.

Background information

Since June 2024, Ukraine and Moldova have begun accession negotiations with the European Union (EU). The path to joining the EU is often extremely difficult and complex for candidate countries. It requires strong commitment from both the government and civil society. For Ukraine and Moldova, to succeed in this process, they have to:

- Meet the Copenhagen criteria.
- Fulfill obligations under the Association Agreements with Deep and Comprehensive Free Trade Area (AA/DCFTA).
- Follow the recommendations in the 'Enlargement Package'.

Respect and advancement of human rights is one of key conditions for joining the EU. The EU pays particular attention to the rights of people with disabilities in candidate countries. Deinstitutionalisation, ensuring accessibility of infrastructure, information, and services, promoting inclusive education, reforming the disability assessment model, are among the tasks Ukraine and Moldova must complete to advance in the accession negotiations.

Even though the accession negotiations are an intergovernmental process, participation of civil society is becoming increasingly important. Various instruments for participation are available for civil society

organisations (CSOs), including organisations of people with disabilities (OPDs). You can participate directly by contributing to drafting laws, strategies, and plans, analysing national and EU legislation. Alternatively, you can contribute indirectly by implementing projects or initiatives that help governments meet their obligations in the disability domain. The level of involvement often depends on the capacity of the organisation.

This guidance provides a summary of the key findings from the report 'Disability-Inclusive Accession Process to the European Union: The Case of Ukraine, Moldova, and Georgia'.

Why is it important for OPDs to participate in the accession process?

In the upcoming years, Ukraine and Moldova, will have to pass dozens of disability-related laws and reforms to align with EU standards. In this process, OPDs can play an important role.

Firstly, you can bring **valuable expertise and first-hand experience**. By actively participating in drafting, revising, and implementing disability-related laws and reforms, OPDs can provide practical insights and solutions that governments might overlook. Your involvement ensures that policies are not only comprehensive but also grounded in reality, which can reduce delays and missteps in the legislative process. This accelerates the alignment with EU standards and contributes to a more efficient accession process.

Secondly, you can play a **watchdog role**, holding governments accountable to their commitments under obligations under the accession process. Thirdly, the participation of OPDs fosters **transparency and inclusivity**, aligning with the EU's emphasis on and civil society engagement. This not only strengthens the legitimacy of the reforms but

also empowers the disability community by giving them a **voice** in shaping their own future.

At what stage are Ukraine, Moldova, and Georgia in the accession process?

The European Commission outlines 9 steps to becoming an EU member.¹ How quickly a candidate country moves through these steps depends on how effectively it fulfils EU requirements. As of **October 2024**, Ukraine and Moldova are working on opening negotiations for Chapter 23 'Judiciary and Fundamental Rights' (step 6 of the accession process). This chapter is crucial because as it demonstrates a country's commitment to the EU's core values and principles. Therefore, negotiations under this chapter open first and close last. Once negotiations for Chapter 23 are open, other 34 chapters can be negotiated at the same time. Georgia currently holds candidate status (step 3 of the accession process). As of July 2024, Georgia's EU accession process has been paused.²

Steps towards membership in the EU:

1. **Application Submission.** The country submits its application to join the EU.
2. **Commission Opinion.** The European Commission reviews the application and issues an opinion based on the Copenhagen criteria.
3. **Candidate Status.** The EU decides to grant the country candidate status.
4. **Opening Negotiations.** The EU decides to open accession negotiations with the country candidate.
5. **Negotiation Framework.** The EU adoptions Negotiation framework and formally launches negotiations.
6. **Chapters' Negotiations.** The candidate country works on aligning with EU law and standards under 35 chapters of EU laws and six thematic clusters.

¹ European Commission, '[Factsheet: The EU Accession Process Step-by-Step](#)', 2023.

² EU NeighbourhoodEast, '[EU: Georgia's EU accession process is stopped for now](#)', 9 July 2024.

7. **Closing Negotiations.** Once all chapters are closed, the EU assesses the country's readiness for membership and decides to accept the country candidate.
8. **Accession Treaty.** The EU drafts the Accession Treaty, which is signed and ratified by all EU Member States and the candidate country.
9. **Membership.** After ratification, a country officially becomes an EU Member State.

How to participate for the OPDs in the accession process?

OPDs have various instruments to participate in the accession process. For convenience, they are divided into structured, semi-structured, and 'ad hoc' instruments. **Structured instruments** have an established procedure for participation or membership, which is publicly available and open to any eligible organisation. Membership is often competitive, gained through either periodic open public calls or ongoing calls. **Semi-structured instruments** also have an established procedure for participation, but participation is typically by invitation. **'Ad hoc' instruments** refer to opportunities arising from advocacy work, cooperation, networking, or initiatives that are often time-limited. The tools described below are not an exhaustive list, but rather a selection of the most well-known opportunities available to civil society. Each serves a distinct function and purpose.

Structured instruments

- Via **Membership in the Eastern Partnership Civil Society Forum (CSF)** OPDs can facilitate the implementation of AA/DCFTAs in Ukraine, Moldova, and Georgia.
- **Membership in the Civil Society Platforms (CSPs)** offers direct communication with the EU institutions and European civil society networks.
- **Membership in the negotiating working groups** allows to advance national legislation and ensure its alignment with EU standards under the accession process.

Semi-structured instruments

- **Inputs under the EU Human Rights Dialogues** allow to directly inform the EU on the state of implementation of rights of people with disabilities in the country.
- **Observer status at the European Commission's Disability Platform** allows to become acquainted with the EU's functioning, decision-making processes, alongside inform the Commission on the state of disability rights in home country.

'Ad hoc' instruments

- Regular **communication with 'Brussels'** helps to build sustainable relationships with EU representatives and convey messages, concerns, submit written inputs directly.
- By **engaging with EU Delegations** OPDs influence the EU's 'disability rights agenda' at the national level, get financial support for implementing initiatives.
- **Consultative status at the European Economic and Social Committee (EESC)** helps to share local expertise, knowledge and information on current situation in a country with the EU.
- **Cooperation with other OPDs** facilitates knowledge sharing.
- **Networking with regional and global coalitions** allows to strengthen advocacy efforts by unifying voices within the coalitions.
- Via **engagement with international organisations** OPDs can advance disability rights at the national level in areas that directly or indirectly contribute to facilitating the accession process.

What should you know before deciding to engage in the accession process?

The accession process requires a long-term commitment. It involves building connections, networking, increasing staff knowledge, expanding expertise, developing advocacy strategies — tasks typically established organisations can handle. However, it does not mean that grassroots level OPDs or newly established organisations can not engage in the accession process. While the level of engagement or commitment may vary, **consistency is key**. For instance, if an OPD decides to focus on contributing to the civil society reports for the European Commission

under the 'Enlargement Package', it is beneficial to engage annually in this process. This can help increase your visibility with both the European Commission and the national government, making you a valuable contact for this specific area. Assessing your own capacities (time, human, and financial resources) and areas of advocacy interest can help you decide where you can contribute most effectively.

It's also important to **avoid wasting resources or causing harm**. For instance, if an OPD joins a negotiating working group but doesn't attend meetings or lacks the expertise to contribute meaningfully (draft, analyse laws, propose amendments, etc.), it might just be taking up space. Since negotiating working groups are composed primarily of the state authorities' representatives, there are often limited places for the civil society. Therefore, be mindful and realistic about your capacities.

Finally, it's helpful for the disability community in a country to **present a unified voice** to the EU and own government. By dividing areas of expertise and engagement, you can complement each other's work and avoid overlap or conflicting positions inside the community.