**Follow up to the European Parliament non-legislative resolution towards equal rights for persons with disabilities**

1. **Rapporteur:** Anne-Sophie PELLETIER (the Left / FR)
2. **Reference numbers:** [2022/2026 (INI)](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2022/2026(INI)) / A9-0284/2022 / P9\_TA(2022)0435
3. **Date of adoption of the resolution:** 13 December 2022
4. **Competent Parliamentary Committee:** Committee on Civil Liberties, Justice and Home Affairs (LIBE)
5. **Brief analysis/ assessment of the resolution and requests made in it:**

The resolution scrutinizes the **implementation of the UN Convention on the Rights of Persons with Disabilities** (hereafter UN CRPD or CRPD) within the EU. The resolution underlines that the EU must implement fully the recommendations of the UN Committee on the Rights of Persons with Disabilities and ensure that all future legislation fully adheres to the CRPD. The European Parliament stresses the need to ratify the **Optional Protocol to the CRPD** both by the Member States that have not yet done so and by the EU, as it is an avenue that offers the opportunity to review individual or systemic cases of discrimination. It addresses specific points and calls for action to the Commission in **different areas** described under separate sections of the resolution.

1. **Response to the requests in the resolution and overview of the action taken, or intended to be taken, by the Commission:**

**Paragraphs 1, 2, 3, 4, 6, 7, 8, 9 and 10**

Being parties to the [United Nations Convention on the Rights of Persons with Disabilities (UN CRPD)](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html), both the EU and the Member States are bound by its provisions to the extent of their competences. The [Strategy for the Rights of Persons with Disabilities 2021-2030](https://ec.europa.eu/social/BlobServlet?docId=23707&langId=en) as well as its predecessor the European Disability Strategy 2010-2020 have been shaped around implementation of the Convention. The current Strategy provides a framework for EU action, to be supplemented by Member States’ policies contributing to the implementation of the UN CRPD. The Strategy for the Rights of Persons with Disabilities 2021-2030 indicates that the adoption of the UN CRPD in 2006 marked a breakthrough in **setting minimum standards** for rights of persons with disabilities. In addition, when adopting secondary legislation the Commission aims to interpret it in a manner that is consistent with the UN CRPD.

In the area of accessibility for persons with disabilities, the [European Accessibility Act](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32019L0882) has set obligations for the Member States. The transposition of this directive, due by June 2022, is currently being verified by the European Commission. To support the Member States’ efforts in this area, the Commission has presented, as one of the flagship initiatives of the Strategy for the Rights of Persons with Disabilities 2021-2030, the creation of a **European resource centre for accessibility (AccessibleEU)**. The contract to establish and run the centre was signed in December 2022.

The two flagship initiatives announced in the Strategy to **support the development of independent living** and to **reinforce community-based services** will seek to contribute to a common understanding of what community living entails and offer guidance to support transitions towards community-based care and services. The Commission will continue to **screen the use of EU funding** in this respect with a view to fostering independent living. The priority focus of both the European Social Fund Plus (ESF+) and the European Regional Development Fund (ERDF) remains to **support the development of family and community-based services, which are not residential, and provide conditions for independent living in line with the UNCPRD**.

**Paragraphs 5 and 16**

Eurostat disseminates reliable and comparable data relating to the living conditions of persons with disabilities in Europe on an annual basis. In addition, Eurostat is taking steps to address the gaps in the availability, reliability and comparability of data relating to other life aspects of persons with disabilities. In particular, the progressive introduction of a disability variable (**GALI - Global Activity Limitation Indicator)** in all social surveys will allow to compare the situation of persons with and without disabilities for the labour market, education, ICT domains (with data available every two years) beyond the current coverage on health, income and living conditions. This will allow the indicators from these data collections to be broken down by disability status (level of activity limitation). In addition to the introduction of GALI in all social surveys, a more detailed measurement of disability will be available, with a lower frequency, from dedicated survey modules **(European Health Interview Survey – EHIS and EU Statistics on Income and Living Conditions – EU-SILC)** that include additional questions about functional limitations (for example, difficulties in seeing, hearing, walking, remembering or concentrating, communicating or with personal care activities) or children’s disabilities.

**Paragraph 13**

The Commission is committed to upholding the human rights of persons with disabilities in its external action and to supporting their social inclusion and participation in all areas of life, as stated in the Strategy for the Rights of Persons with Disabilities 2021-2030. In the context of accession negotiations, following the revision of the Enlargement methodology, the rights of persons with disabilities have become part of the **“Fundamentals of the accession process”**, meaning that reforms in this field must be undertaken as a matter of priority. In this framework, the Commission systematically reviews the situation and progress made related to the rights of persons with disabilities when it meets authorities from candidate countries and potential candidates within the joint bodies under the Stabilisation and Association Agreements, and makes recommendations for reforms. On 12 October 2022, the Commission published its [annual enlargement package of reports](https://ec.europa.eu/commission/presscorner/detail/en/ip_22_6082) in which it assessed the implementation of those recommendations.

**Paragraph 14**

The proposal for the **Equal Treatment Directive** is very important for the Commission as it will fill a legislative gap in the protection against discrimination at EU level. The Commission continues to support the legislator in its efforts to adopt this directive. At the European Parliament plenary in December 2022, the Commission recalled that both reasonable accommodation and non-discriminatory access are necessary to achieve equal treatment of persons with disabilities. To fill another such gap, the Commission proposed on 7 December 2022 a legislative initiative to strengthen equality bodies, including **extending their competence to** two existing directives: the Employment Equality Directive and the Gender Equality Directive in the field of social security. As a result, equality bodies’ competence under EU law would coverdiscrimination on the ground of disability in the field of employment and occupation (see response to paragraph 29).

**Paragraph 15**

The implementation of the Strategy for the Rights of Persons with Disabilities is regularly monitored through a **monitoring framework** [available online](https://ec.europa.eu/social/main.jsp?catId=1552&langId=en). Progress on the implementation of the Strategy is discussed also with the Disability Platform, which gathers representatives from EU Member States as well as representatives of civil society organisations. As stated in the Strategy, the **EU CRPD Framework** has been put in place consisting of the European Ombudsman, the Committee on Petitions of the European Parliament, the Fundamental Rights Agency and the European Disability Forum, each performing their tasks in an independent manner but in coordination. The EU framework oversees areas in the UN CRPD where the Member States have transferred competences to the EU as well as the implementation of the UN CRPD by the EU institutions. The Commission intends to examine the functioning of the EU framework and propose further action, if needed, on this basis.

**Paragraphs 17 and 44**

In the Strategy for the Rights of Persons with Disabilities 2021-2030, the Commission calls on Member States and all EU institutions and agencies to take the needs of persons with disabilities into consideration when designing, implementing and monitoring policies, legislation and funding programmes through targeted action and mainstreaming. The Strategy also highlights that **effective policy making implies consultation and participation** of persons with disabilities and their representative organisations throughout the process and the provision of informationabout relevant policy initiatives and consultations in **accessible formats**. The **Disability Platform** announced in the Strategy for the Rights of Persons with Disabilities 2021-2030 and introduced in 2021 is intended to reinforce the involvement of persons with disabilities and their representative organisations at EU-level. [Together for Rights](https://ec.europa.eu/social/main.jsp?langId=en&catId=1556), the European Commission’s campaign to promote the rights of persons with disabilities across Europe and beyond, contributes to these efforts in terms of awareness raising.

**Paragraph 20**

The [Commission proposal for a Regulation on Artificial intelligence](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52021PC0206) (AI) already contains provisions addressing a wide range of users, including vulnerable users and persons with disabilities. It prohibits the placing on the market, putting into service or use of an AI system that exploits any of the vulnerabilities inter alia of persons with disabilities. It also offers the possibility to draw up codes of conduct related to accessibility for persons with a disability and considers that providers should be encouraged to apply additional requirements related among others to the accessibility to persons with disability. Future developments will build on the results of the final adopted act.

**Paragraphs 22, 23, 38 and 39**

With regard to access to justice of victims with disabilities, the [Victims’ Rights Directive](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32012L0029) pays special attention to the most vulnerable victims. Under the directive, victims have a right to understand and to be understood. The directive facilitates **access to information to the most vulnerable victims**, as well as the **accessibility to premises** where criminal proceedings are conducted. The most vulnerable victims, such as victims with disabilities, have access to **special protection measures and support**. The directive specifies that victims with disabilities are able to benefit from the rights set out in it, on an equal basis with others. On 28 June 2022, the Commission adopted its [evaluation of the Victims’ Rights Directive](https://eur-lex.europa.eu/legal-content/FR/TXT/?uri=SWD:2022:179:FIN). The evaluation shows that over the past ten years, the directive has greatly contributed to improving the lives of victims across the EU. However, the evaluation also highlights that there are still situations where not all victims can fully rely on their rights. The Commission will continue working on strengthening victims’ rights and plans to propose a revision of the directive in 2023. The [EU Strategy on victims’ rights (2020 – 2025)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0258) aims at further empowering all victims of crime, including victims with disabilities, so that they can fully rely on their rights. The [proposed Directive to combat violence against women and domestic violence](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52022PC0105) puts forward measures to remove barriers to reporting of violence by requiring Member States to put in place **reporting procedures that are easy and accessible**, and to ensure that helplines as well as **specialist support services** and facilities (including shelters) are **easily accessible**.

The 2013 [Commission Recommendation on procedural safeguards for vulnerable persons suspected or accused in criminal proceedings](https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2013:378:0008:0010:EN:PDF) sets out minimum rules aiming to ensure that the vulnerability of a person suspected or accused in criminal proceedings, in particular any **disability-related vulnerability**, is **promptly identified and recognised** and that such persons receive **appropriate assistance and support** during criminal proceedings. This includes, for instance, specific rules related to the **provision of information in an accessible format** and on the waiving of assistance by a lawyer. The Recommendation furthermore highlights that **police officers, law enforcement and judicial authorities** competent in criminal proceedings conducted against vulnerable persons should receive **specific training**. The Commission is currently considering the best way forward to ensure a more effective implementation of these minimum rules in the Member States.

The Commission is providing funding under the **Justice programme** to facilitate effective and non-discriminatory access to justice for all, including by electronic means (e-Justice), by promoting efficient civil and criminal procedures and by supporting the rights of all victims of crime as well as the procedural rights of suspects and accused persons in criminal proceedings (including victims and suspected/accused persons with disabilities). The Justice programme supports also the effective and coherent application of EU law by proving funding for training activities of justice professionals in the areas of civil law, criminal law and fundamental rights (such as non-discrimination).

As the first direct contribution to implementing the EU Anti-Racism Action Plan 2020-2025, the EU Roma strategic framework for equality, inclusion and participation, adopted on 7 October 2020, sets out a comprehensive three-pillar approach for the next ten years, which aims to promote effective equality, socio-economic inclusion and meaningful participation of Roma. Also, the LGBTIQ strategy 2020 – 2025, the first-ever Commission strategy on LGBTIQ equality delivers on the European Commission’s commitment to building a Union of Equality where all people can be themselves without risk of discrimination, exclusion or violence.

**Paragraphs 25, 27 and 31**

The Commission’s **Task Force on Equality** ensures that equality considerations, including disability, are mainstreamed in Commission initiatives from an early stage of preparation. For example, the Commission’s proposed Directive to combat violence against women and domestic violence recognises that women with disabilities are at higher risk of such violence and requires Member States to provide targeted measures for their protection and support. Furthermore, the Commission takes into account the situation of women with disabilities throughout the implementation of the [Gender Equality Strategy 2020-2025](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/gender-equality/gender-equality-strategy_en) that is based on a strong intersectional approach accounting for the experiences of discrimination and inequalities stemming from the intersection of gender and disability. In the framework of the **Mutual Learning Programme on gender equality**, the Member States can exchange good practices in terms of concrete measures to combat gender-based violence among specific vulnerable groups as well as awareness raising activities targeted at gender-based violence response systems.

In 2023, the Commission intends to launch a **network on prevention of gender-based violence and domestic violence**, gathering Member States and stakeholders to exchange good practices and build capacity of key public services and frontline professionals, including on how to respond to specific needs of vulnerable groups such as women and girls with disabilities. In addition, the Commission intends to present in 2023 a **Recommendation on harmful practices against women and girls**, including women and girls with disabilities. The Commission is also providing funding under the **Daphne strand of the Citizenship, Equality, Rights and Values programme** to support civil society in fighting gender-based violence, including through projects supporting women and girls with disabilities. Since 2016, the Commission has provided funding to support transnational European projects on tackling violence against women and girls with disabilities.

**Paragraphs 28 and 29**

The Commission presented a legislative initiative to strengthen equality bodies on 7 December 2022. The initiative is composed of: a [proposal for a Council Directive on standards for equality bodies in the field of equal treatment between persons irrespective of their racial or ethnic origin, equal treatment in the field of employment and occupation between persons irrespective of their religion or belief, disability, age or sexual orientation, equal treatment between women and men, in matters of social security and in the access to and supply of goods and services](https://commission.europa.eu/system/files/2022-12/1_1_201224_prop_council_dir_eq_bo_en.pdfhttps%3A/commission.europa.eu/system/files/2022-12/1_1_201224_prop_council_dir_eq_bo_en.pdf); and a [proposal for a Directive on standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation](https://commission.europa.eu/system/files/2022-12/1_4_201221_prop_dir_parl_council_eq_bod_en.pdf). The two proposals lay down **standards for equality bodies** to ensure that people in all Member States enjoy a common minimum level of protection against discrimination. They cover the mandate, independence, resources, tasks and powers of equality bodies to engage in the prevention of discrimination and awareness raising activities as well as to deal with cases of discrimination and assist victims. Based on the initiative, the Member States will have to provide equality bodies with the **human, technical and financial resources** necessary to exercise their competences effectively. The proposals include **specific provisions on accessibility and reasonable accommodations to guarantee the equal access of persons with disabilities** to all the services and activities of equality bodies. They also make it explicit that equality bodies’ activities of prevention, promotion and awareness raising shall focus in particular on groups whose access to information can be hindered, for example by their disability. The Commission is providing **funding under the Citizenship, Equality, Rights and Values programme** to support activities implemented by the **European Network of the Equality Bodies (EQUINET)**, specifically for sharing experiences and good practices, trainings, awareness raising and studies.

**Paragraphs 35 and 42**

The Commission is currently preparing a **legislative proposal for improving judicial cooperation in cross-border cases involving persons with reduced legal capacity (vulnerable adults)** and the support provided to them, including in managing their personal or financial interests. The proposal will in particular facilitate the acceptance and recognition in all EU Member States of powers of representation granted by a person to organise in advance his or her representation in case of a future incapacity. This will contribute to safeguard the right to self-determination and increase legal certainty, in cross-border cases. The proposal will also contain an **obligation for Member States to collect data on cross-border cases** involving the protection of adults, which may contribute to a more general data collection exercise. However, the Commission will only collect data in relation to judicial or administrative cases involving adults with reduced or supported legal capacity, without any distinction as to whether these persons have disabilities, and only in cross-border cases. This means for instance that reduction of legal capacity under national law will be out of the scope of this legislation.

**Paragraph 41**

The Commission underlines that the **scope of the ESF+** pertains to the thematic areas of employment, education and social inclusion, as outlined in Article 3(1) of the [ESF+ Regulation](https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:32021R1057). Therefore, areas such as the coverage of judicial proceedings related to court trials where governments of the Member States stand accused of discrimination of persons with disabilities do not fall within the scope of the ESF+ and cannot be funded by this Fund. The **Justice programme** funds, instead, mainly transnational projects to support cross-border judicial cooperation in civil and criminal matters.

**Paragraph 43**

The European Cooperation Network on Elections allows for concrete and practical exchanges on a range of topics relevant to ensuring free and fair elections, including the participation of persons with disabilities.

As announced in the Strategy for the Rights of Persons with Disabilities 2021-2030, the Commission is preparing a **guide of good electoral practices** addressing participation of citizens with disabilities in the electoral process, in close cooperation with Member States in the framework of the **European Cooperation Network on Elections**. On 25 November 2021, the Commission adopted a [package of measures](https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/eu-citizenship/democracy-and-electoral-rights_en#whathastheeuropeancommissiondone) to reinforce democracy and protect the integrity of elections. This included two recast legislative proposals laying down detailed arrangements regarding the electoral rights of mobile EU citizens. These proposals **request Member States to make electoral information accessible to mobile EU citizens with disabilities** by using appropriate means, modes, and formats of communication. As to the possibility of the Member State of residence to allow mobile EU citizens who were deprived of their legal capacity to vote or stand as candidates in elections to the European Parliament on their electoral territory, it should be noted that Article 22(2) of the Treaty on the functioning of the European Union (TFEU) is only a non-discrimination provision. Whilst Article 22(2) TFEU provides for the right to vote and to stand as a candidate in elections to the European Parliament in the Member State of residence, it does not substitute it for the right to vote and to stand as a candidate in the Member State of which the citizen is a national.

The Commission reiterated in its [Communication on the follow-up of the Conference on the Future of Europe](https://commission.europa.eu/document/c268334e-1b8e-4803-9ed8-07e44b0f81c8_en) that it will support the European Parliament in securing an agreement on the electoral law in the Council. The Commission also announced the organisation of a **high-level event on elections bringing together various authorities ahead of the 2024 elections to the European Parliament**, which will provide an opportunity to the Member States to discuss a wide range of election-related topical issues, including the inclusiveness of elections. Under the Citizens, Equality, Rights and Values work programme 2023-2024, the **citizens’ participation strand** envisages acall for proposals for 2023 with a specific focus on projects that **strengthen the democratic participation of vulnerable groups, including persons with disabilities**.

**Paragraphs 47 and 60**

Under the [Web Accessibility Directive 2016/2102](https://eur-lex.europa.eu/eli/dir/2016/2102/oj), all public sector websites and mobile apps must be accessible. The recent [review](https://digital-strategy.ec.europa.eu/en/library/study-implementation-web-accessibility-directive-monitoring-reporting-and-evaluation) of the directive showed that accessibility has improved. The Commission continues to support the Member States through the expert group, and relevant projects. The on-going [WAI-CooP](https://www.w3.org/WAI/about/projects/wai-coop/) project will build a community of practice around the Web Accessibility Directive and associated technical standard, whilst the recently completed [WAI-Guide](https://www.w3.org/WAI/about/projects/wai-guide/) developed guidance and training on web accessibility, improved accessible authoring tools and supported the coordination of accessibility standards globally.

The multi-annual [action plan](https://wikis.ec.europa.eu/display/WEBGUIDE/Web%2Baccessibility%2Baction%2Bplan) on web accessibility announced in the [Strategy for the Rights of Persons with Disabilities 2021-2030](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM:2021:101:FIN) and adopted in September 2022, aims at advancing web accessibility in a number of areas. A **Task Force on Web Accessibility** has been set up within the Commission, with a network of accessibility correspondents in every Commission department. The Commission strives to ensure its websites, online content and audiovisual products are fully accessible to people who have visual, hearing, motor or cognitive impairments. All the Commission’s websites must meet at least level ‘AA’ of the [Web Content Accessibility Guidelines (WCAG 2.1)](https://www.w3.org/TR/WCAG21/), and the [rules and guidelines on web accessibility](file:///C%3A%5CUsers%5Cglawahe%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CINetCache%5CContent.Outlook%5CVNHS2ZG3%5C%E2%80%A2%09The%20Commission%20is%20committed%20to%20ensuring%20that%20its%20websites%20and%20mobile%20apps%20are%20accessible%20to%20people%20with%20disabilities) for all Commission websites to follow are set out in the updated section on [Europa Web Guide](https://wikis.ec.europa.eu/display/WEBGUIDE/12.%2BAccessibility).

The Commission has been working with the Publications Office (OP) of the European Union to improve the **accessibility of its publications**. Key publications are now systematically available in several digital formats with alternative texts, long descriptions for the visual elements and colours and contrasts carefully chosen with the experts in charge of accessibility. All online publications can be read with the immersive reader function. New efforts in 2022 included apilot-project on audiobooks – [*EU Pioneers audiobooks (europa.eu)*](https://op.europa.eu/webpub/com/eu-pioneers/en/)– to accommodate many readers’ specific needs, in particular learning disabilities, visual impairment or blindness. The Commission intends to produce more publications in this format in 2023. Pilot-projects for 2023 and 2024 include easy-to-read and Braille versions, of the most relevant publications, as well as including Braille QR codes as part of a **universal design for printed materials** distributed during EU in-person events for the general public – both for children (5-18 years) and over 18 years old.

The Commission [Audio-visual Portal](https://audiovisual.ec.europa.eu/en/) (and video player) follows all the accessibility requirements applicable for the Europa websites, including the web content accessibility guidelines. The audiovisual products related to the main decisions of the Commission are available on the Audio-visual portal with subtitles in 24 languages (close captions on or off) and regularly with voice-overs. **International Sign Language (ISL) interpretation** is added on more and more corporate videos and recordings. This includes the midday Wednesday press conferences. In 2022, for the first time, the ‘State of the Union’ speech at the European Parliament was provided with live ISL interpretation arranged by the Commission. The Commission is currently funding several **projects that support communication using sign language and Braille**. The [ABILITY](https://cordis.europa.eu/project/id/101070396) project, which started in September 2022, aims to develop an affordable multiline Braille display in the form of a tablet. **Sign languages** are supported through two complementary projects: [EASIER](https://www.project-easier.eu/) and [SignOn](https://signon-project.eu/). The first uses technology to create a framework for barrier-free communication among deaf and hearing citizens across the European Union; the second will create an open-source service and mobile application for translating to and from several sign languages. The Commission is taking steps to reinforce the availability of international sign interpreters for EU events and meetings. As a concrete example, the European Commission has launched a **speech-to-text project to improve the accessibility of its meetings and conferences**. The Commission will start the pilot phase of its "live transcription portal" in 2023, with a view to expand it further in 2024.

**Paragraphs 19 and 48**

**Creative Europe** gives high importance to inclusivity and the equal participation of persons with disabilities in creative processes. The programme recognises the intrinsic and artistic values of culture, together with its economic potential, including its broader contribution to growth, creativity and innovation. The objectives pursued by Creative Europe **encourage** directly the **inclusivity** of cultural offers and processes together with their **equal and fair access to persons with disabilities**. In Creative Europe Calls, diversity and participation are earmarked in all selection criteria including the Cooperation Calls for proposals (COOP). **All activities funded under the programme must incorporate an inclusivity perspective** and contribute to the equal empowerment of all audiences, ensuring that they achieve their full potential and enjoy equal rights. Furthermore, **Creative Europe’s CULT strand** also supports cooperation projects around accessibility and inclusion of audiences with disabilities (see [Creative Europe Project Search tool](https://culture.ec.europa.eu/creative-europe/projects/search)). In Creative Europe Special Actions,inclusivity and diversity are core section criteria for the *European Capital of Culture* and the *European Heritage Days’* Call for Stories. The **European Heritage Days 2021** edition’s transversal theme was **“Inclusive and Diverse Heritage”**, and encouraged broad participation in culture and diversity. Particular attention was paid to making events more accessible by removing physical barriers and offering a platform to different groups, including persons with disabilities. A special **Inclusive Toolkit** was produced, and the event ceremony was held at the Tactile Museum in San Marino, hence promoting spaces that advocate for the inclusion of blind and visually impaired people. In **Creative Europe’s Permanent Mobility Scheme for Cultural Professionals**, “Culture Moves Europe”,inclusivity is a core element of the Call for Individual Mobility. The scheme offers specific support to artists and cultural professionals living with a disability in all Creative Europe countries.

**Paragraphs 33 and 58**

On 28 November, the Council adopted [the Recommendation on Pathways to School Success](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022H1209%2801%29&qid=1671106078506), which aims at promoting better education outcomes for all learners, irrespective of their personal characteristics as well as family, cultural and socio-economic background, while placing at its centre well-being at school. In particular, the Recommendation invites each Member State to develop a strategy for school success, combining universal measures with individualised provisions for learners requiring additional attention and support. Such a strategy should **pay specific attention to children and young people at risk of disadvantage or discrimination**, ensure an intersectional approach and include appropriate measures for groups at risk. The Recommendation calls on the Member States to **support the inclusion of learners with disabilities and/ or special educational needs in mainstream schools**, with effective support provided by trained educators and other professionals, while removing physical obstacles in the school environment and providing appropriate learning materials and adapted teaching and learning approaches. The Recommendation calls for high-quality and research-based **initial teacher education and continuous professional development (CPD),** to prepare school leaders, teachers, trainers and other staff. The Commission is supporting the implementation of the Recommendation through Member States’ peer learning, funding opportunities within **Erasmus+** and dissemination through the **European School Education Platform**.

Disability-specific indicators under the Europe 2020 strategy were mostly sourced from the **European Union Statistics on Income and Living Conditions (EU-SILC)** survey. Disability is proxied by limitation in activities because of health problems for at least the last 6 months. These indicators remain important for monitoring progress towards EU-level targets in education. Biennial information on disability will also become available from the **European Union Labour Force Survey (EU-LFS)** as of 2023. This will further strengthen the evidence base and support monitoring of progress towards the EU-level education targets on early leavers from education and training, tertiary level attainment, and participation of adults in learning. Similar to EU-SILC, the EU-LFS proxies disability by limitation in activities because of health problems (6 months or more).

**Paragraphs 49 and 52**

The Commission is working towards the development of preparedness activities, including the training and exercises programme, in a way that strengthens disability-inclusive civil protection and disaster risk management, including as regards crisis communication and access to information in the context of disaster risk management. **Inclusiveness is a key horizontal principle for disaster risk management**, set out in the first Commission Recommendation on Union Disaster resilience goals adopted on 8 February 2023 (C(2023) 400 final). The Recommendationunderlines that the needs and circumstances of vulnerable groups and of persons with disabilities should be taken into account and specifically addresses the need to improve public warning and access to disaster risk information. In the Commission Communication “European Union Disaster Resilience Goals: Acting together to deal with future Emergencies” (COM(2023) 61 final), adopted on the same date, the new **flagship “Be Ready” pan-European awareness programme** envisages developing disaster risk icons and visuals that communicate safe and resilient behaviours and which can be easily understood across all Member States, languages, cultures and which are accessible to persons with disabilities. Several disaster risk prevention and preparedness projects co-funded through the **Union Civil Protection Mechanism (UCPM)** include a focus on the specific needs of persons with disabilities. An example is the 2021 [project SEE ME](https://civil-protection-humanitarian-aid.ec.europa.eu/funding-evaluations/financing-civil-protection/prevention-and-preparedness-projects-civil-protection/overview-past-track-i-and-track-ii-projects/safe-and-equal-emergencies-see-me_en) (Safe and Equal in EMErgencies). Moreover, through the development of the **Union Civil Protection Knowledge Network** and its activities, the Commission will further raise awareness of the principles of non-discrimination, inclusiveness, and the needs of vulnerable groups, including persons with disabilities, in prevention, preparedness and response operations in the context of civil protection.

**Paragraphs 54 and 56**

As one of the flagship initiatives of the Strategy for the Rights of Persons with Disabilities, the Commission will propose a [European Disability Card](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13517-European-disability-card_en) by the end of 2023 to be recognised in all Member States. The initiative aims at mutual recognition of the disability status among Member States. However, the introduction of a mutual definition, diagnosis and recognition of disability status in all areas throughout the EU would go beyond the intended scope of the initiative, in particular due to the **need to respect the subsidiarity principle and national competences**. The European Disability Card is intended as a complement to national cards, while the recognition of disability status would be maintained at national level. The Card will not address elements in the area of social security coordination that is already regulated at EU level. Member States can use ESF+ resources **to promote and distribute the Card**. The Commission has launched the background analytical study for the impact assessment of the initiative and is currently analysing the replies received in the context of the Call for evidence. In addition, the Open Public Consultation on the initiative will be launched in the first quarter of 2023.

**Paragraphs 61, 62, 66 and 67**

Reducing inequalities is one of the cross-cutting themes of [Europe’s Beating Cancer Plan](https://health.ec.europa.eu/system/files/2022-02/eu_cancer-plan_en_0.pdf). In the Cancer Plan, the Commission notes that attention should be paid to inequalities in access to cancer prevention and care, affecting for example persons with disabilities.As part of the upcoming [study providing guidelines on access to healthcare for persons with disabilities](https://ted.europa.eu/udl?uri=TED:NOTICE:703667-2022:TEXT:EN:HTML#_blank), the Commission will collect evidence on the specific inequalities that persons with disabilities face in accessing cancer prevention and care services. These findings will feed into the Cancer Inequalities Registry. The Commission recognises that **sexual and reproductive health** and rights are important for people’s health and thus place them at the core of equality strategies. The Commission calls on Member States to modernise their health systems and improve access to healthcare by addressing specific problems, such as improving access for persons with disabilities to the entire healthcare portfolio including sexual and reproductive healthcare and prevention services based e.g. on the revised [Council Recommendation on Cancer Screening](https://data.consilium.europa.eu/doc/document/ST-14770-2022-INIT/en/pdf) and the upcoming Commission proposal for a Council Recommendation on vaccine-preventable cancers, in the Framework of “Europe’s Beating Cancer Plan”.

To reinforce the EU’s response capacity to health crises, Regulation (EU) 2021/522 on the new **EU4Health Programme** with a budget of EUR 5.5 billion was adopted and entered into force on 26 March 2021. Through the EU4Health Programme’s annual work programmes and their specific actions, the Commission considers the needs of people in vulnerable situations and the reduction of inequalities in the provision of healthcare. Under the EU4Health Programme a [call for tender has been launched for a study focusing on **Guidelines on access to healthcare for persons with disabilities**](https://ted.europa.eu/udl?uri=TED:NOTICE:703667-2022:TEXT:EN:HTML). The objective of the study is to map and analyse the main bottlenecks in accessing healthcare for this target group and to provide guidelines to improve access and overcome barriers.

With regard to **medical devices used as screening equipment**, **accessibility aspects** are taken into due account by the European standardisation organisations, namely the European Committee for Standardization (CEN) and the European Committee for Electrotechnical Standardization (CENELEC), in the development of harmonised standards in support of the EU legislation on medical devices. As concerns prevention, the **HealthyLifesytles4All campaign** launched in 2021 aims at helping healthy choices become easy and affordable, focusing on disadvantaged groups including persons with disabilities in order to reduce inequalities. In the State of the Union address in September 2022, President von der Leyen announced **a new initiative on mental health**, responding to calls from the Conference on the Future of Europe in May 2022, as well as from the European Parliament and the Council. This will take the form of a Commission Communication planned for adoption in June 2023. On 12 May 2022, the Commission published an [evaluation](https://health.ec.europa.eu/publications/study-supporting-evaluation-directive-201124eu-ensure-patients-rights-eu-cross-border-healthcare_en) of Directive 2011/24/EU to ensure **patients’ rights in the EU in cross-border healthcare**. The evaluation highlighted some shortcomings including the accessibility of information on cross-border healthcare for people with disabilities. As a follow-up to the evaluation, the Commission has set up a number of actions specified in the annex of the Commission evaluation report. Encouraging all National Contact Points (NCPs) to ensure that their websites are accessible for people with disabilities is one of the specific recommendations currently followed up by the Commission.

**Paragraph 70**

In 2008 the Commission adopted a proposal for a Council Decision for the European Union to accede to the UNCRPD Optional Protocol ([COM(2008)530](https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:52008PC0530(01))). The support of all Member States is required to adopt such a decision. As indicated in the Strategy for the Rights of Persons with Disabilities, **not all Member States are party to the Optional Protocol**. The Commission will closely **follow the progress** of accession by Member States to the Optional Protocol **and re-examine the EU’s accession** to the Optional Protocol.

**Paragraphs 74 and 78**

The Commission carefully monitors the implementation of the [Employment Equality Directive](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32000L0078), with a view to putting into effect the principle of equal treatment in the Member States, including through providing direct replies to citizens. Providing observations to the Court of Justice of the European Union when requested on concrete cases, the Commission defends a broad interpretation of the provisions of the directive with a view to guaranteeing the effectiveness of its protective scope. The Commission recognizes that **sheltered workshops** differ across the EU and not all ensure pathways to the open labour market. For this reason, one of the six actions of the [Disability Employment Package](https://ec.europa.eu/social/main.jsp?catId=1597&langId=en) to be designed between now and 2024, will assess jobs in sheltered workshops and transitions to the open labour market. To this end, the Commission has commissioned a dedicated study.

**Paragraphs 79 and 85**

In shaping a more inclusive labour market, it is important to take relevant measures to address the digital divide; in particular, to address disparities between groups of people based on disabilities, age, gender, levels of education and income, and between urban and rural areas. For this, the [European Pillar of Social Rights](https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights/european-pillar-social-rights-20-principles_en) and its accompanying [Action Plan](https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/economy-works-people/jobs-growth-and-investment/european-pillar-social-rights/european-pillar-social-rights-action-plan_en) serve as guiding documents. The [Skills Agenda](https://ec.europa.eu/social/main.jsp?catId=1223&langId=en), the [EU Digital Decade](https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/europe-fit-digital-age/europes-digital-decade-digital-targets-2030_en) and the [Digital Education Action Plan](https://education.ec.europa.eu/focus-topics/digital-education/action-plan), as well as the [Council Recommendation on improving the provision of digital skills](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13208-Digital-skills-improving-their-provision_en) offer targeted guidance to Member States on how to achieve better results in the provision of more inclusive digital skills training, also in consideration of the specificities of vulnerable groups, including persons with disabilities. In addition, the Commission has put forward substantial **EU funding**, including the European Social Fund+ and the Just Transition Fund, to support Member States’ investment in human capital development, such as developing skills for the twin transitions which also focus on persons with disabilities.

Furthermore, in March 2022 the Commission launched a large-scale exploratory **study on telework and the right to disconnect**, as part of its response to the 2021 European Parliament resolution on the right to disconnect. This includes identifying and analysing challenges, opportunities and trends from various perspectives such as, among others, the **point of view of different types of workers, as well as equality and non-discrimination**. In addition, the [European Declaration of digital rights and principles](https://ec.europa.eu/commission/presscorner/detail/en/IP_22_452) reiterates people’s right to fair, just, healthy and safe working conditions in a digitalised world of work, supporting solidarity and inclusion.

**Paragraph 87**

EU funds provide an important contribution towards the implementation of the [European Child Guarantee](https://ec.europa.eu/social/main.jsp?catId=1428&langId=en). In particular, the ESF+ already includes an obligation that all Member States should programme an appropriate amount of their resources of the ESF+ strand under shared management for the implementation of the European Child Guarantee. For those Member States where incidence of the risk of poverty or social exclusion among children exceeded the EU average in years 2017-2019, this appropriate amount shall equal at least 5% of their ESF+ allocation. Overall, Member States are planning to programme almost EUR 3.8 billion under the ESF+ for measures addressing child poverty. This is EUR 1.4 billion more than the minimum required by the ESF+ Regulation.

**Paragraph 90**

The Commission has focused its efforts on promoting inclusiveness in all enterprises, in particular social ones. Through the implementation of its [Action Plan for the Social Economy](https://ec.europa.eu/social/main.jsp?catId=1537&langId=en), the Commission is improving the enabling conditions for social enterprises and social economy organisations. This increases employment opportunities for people with disabilities, namely in Work Integration Social Enterprises (WISEs). In addition, the study which the Commission is carrying out in the context of the Disability Employment Package (expected to be finalised in December 2023) will also assess the working conditions and career development opportunities available in **alternative models of employment of persons with disabilities**.