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Implementation of the UN Convention
on the Rights of Persons with
Disabilities

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► European Parliament resolution of 7 July 2016 on the implementation of the UN Convention on the Rights of Persons with Disabilities, with special regard to the Concluding Observations of the UN CRPD Committee ([2015/2258\(INI\)](#))

The European Parliament,

- having regard to Articles 2, 9, 10, 19, 168 and 216(2) of the Treaty on the Functioning of the European Union (TFEU) and Articles 2 and 21 of the Treaty on European Union (TEU),
- having regard to Articles 3, 15, 21, 23 and 26 of the Charter of Fundamental Rights of the European Union,
- having regard to the United Nations Convention on the Rights of Persons with Disabilities (CRPD) and its entry into force in the EU on 21 January 2011 in accordance with Council Decision 2010/48/EC of 26 November 2009 concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities⁽¹⁾,
- having regard to the Concluding Observations of the UN Committee on the Rights of Persons with Disabilities of 2 October 2015 on the initial report of the European Union⁽²⁾,
- having regard to the List of issues of the UN Committee on the Rights of Persons with Disabilities of 15 May 2015 in relation to the initial report of the European

Union⁽³⁾ ,

- having regard to the Code of Conduct between the Council, the Member States and the Commission setting out internal arrangements for the implementation by and representation of the European Union relating to the United Nations Convention on the Rights of Persons with Disabilities,
- having regard to the Universal Declaration of Human Rights, the Convention for the Protection of Human Rights and Fundamental Freedoms, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights,
- having regard to the UN Convention on the Rights of the Child (CRC),
- having regard to the UN Guidelines for the Alternative Care of Children⁽⁴⁾ ,
- having regard to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006⁽⁵⁾ ,
- having regard to Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation⁽⁶⁾ ,
- having regard to the judgments of the Court of Justice in Joined Cases C-335/11 and C-337/11 HK Danmark and in Cases C-363/12 Z and C-356/12 Glatzel ,
- having regard to the joint communication of 28 April 2015 by the Commission and the High Representative of the European Union for Foreign Affairs and Security Policy to the European Parliament and the Council entitled ‘Action Plan on Human Rights and Democracy (2015-2019): “Keeping human rights at the heart of the EU agenda”‘ (JOIN(2015)0016),
- having regard to the Commission proposal of 2 December 2015 for a directive of the European Parliament and of the Council on the approximation of the laws, regulations and administrative provisions of the Member States as regards the accessibility requirements for products and services (COM(2015)0615),
- having regard to the Commission staff working document of 19 June 2015 entitled ‘Reply of the European Union to the list of issues in relation to the initial report of

the European Union on the implementation of the UN Convention on the Rights of Persons with Disabilities' (SWD(2015)0127),

- having regard to the Commission staff working document of 5 June 2014 entitled 'Report on the implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD) by the European Union' (SWD(2014)0182),
- having regard to the Commission communication of 25 October 2011 entitled 'Social Business Initiative: Creating a favourable climate for social enterprises, key stakeholders in the social economy and innovation' ([COM\(2011\)0682](#)),
- having regard to the Commission communication of 15 November 2010 entitled 'European Disability Strategy 2010-2020: A renewed commitment to a barrier-free Europe' ([COM\(2010\)0636](#)),
- having regard to its resolution of 25 February 2016 on European Semester for economic policy coordination: Employment and Social Aspects in the Annual Growth Survey 2016([7](#)) ,
- having regard to its resolution of 10 September 2015 on creating a competitive EU labour market for the 21st century: matching skills and qualifications with demand and job opportunities, as a way to recover from the crisis([8](#)) ,
- having regard to its resolution of 10 September 2015 on social entrepreneurship and social innovation in combating unemployment([9](#)) ,
- having regard to its resolution of 8 September 2015 on the situation of fundamental rights in the European Union (2013-2014)([10](#)) ,
- having regard to its position at first reading of 8 July 2015 on the proposal for a Council decision on guidelines for the employment policies of the Member States([11](#)) ,
- having regard to its resolution of 20 May 2015 on the List of Issues adopted by the United Nations Committee on the Rights of Persons with Disabilities in relation to the initial report of the European Union([12](#)) ,
- having regard to its resolution of 4 July 2013 on the impact of the crisis on access to care for vulnerable groups([13](#)) ,
- having regard to its resolution of 25 October 2011 on mobility and inclusion of people with disabilities and the European Disability Strategy 2010-2020([14](#)) ,
- having regard to its resolution of 6 May 2009 on the active inclusion of people

excluded from the labour market⁽¹⁵⁾,

- having regard to the European Parliamentary Research Service in-depth analysis entitled ‘EU Implementation of the UN Convention on the Rights of Persons with Disabilities (CRPD)’,
- having regard to the 2030 Agenda for Sustainable Development,
- having regard to the Annual Report 2014 of the European Ombudsman,
- having regard to the decision of the European Ombudsman closing her own-initiative inquiry OI/8/2014/AN concerning the Commission,
- having regard to the forthcoming 2015 Annual Report of the European Union Agency for Fundamental Rights,
- having regard to the December 2015 study of the European Union Agency for Fundamental Rights on ‘Violence against children with disabilities: legislation, policies and programmes in the EU’,
- having regard to the 2014 Eurostat disability statistics on labour market access, access to education and training, and poverty and income inequalities,
- having regard to Rule 52 of its Rules of Procedure,
- having regard to the report of the Committee on Employment and Social Affairs and the opinions of the Committee on Civil Liberties, Justice and Home Affairs, the Committee on Petitions, the Committee on Foreign Affairs, the Committee on Development, the Committee on the Environment, Public Health and Food Safety, the Committee on Transport and Tourism, the Committee on Regional Development, the Committee on Culture and Education, the Committee on Legal Affairs and the Committee on Women’s Rights and Gender Equality (A8-0203/2016),

A. whereas, as full citizens, all persons with disabilities have equal rights and are entitled to inalienable dignity, equal treatment, independent living, autonomy, support from publicly funded systems and full participation in society;

B. whereas there are an estimated 80 million persons with disabilities in the European Union, of whom women and girls count for approximately 46 million, comprising about 16 % of the total female population of the EU, making the prevalence of disability in the European Union higher among women than among men; whereas women with disabilities are frequently victims of multiple discrimination, facing substantial obstacles in realising their basic rights and freedoms such as the right to access education and employment, which can lead to

social isolation and psychological trauma; whereas women are also disproportionately affected by disability as carers of family members with disabilities;

C. whereas the TFEU requires the Union to combat discrimination based on disability when defining and implementing its policies and activities (Article 10) and gives it the power to adopt legislation to address such discrimination (Article 19);

D. whereas Articles 21 and 26 of the Charter of Fundamental Rights of the European Union explicitly prohibit discrimination on the grounds of disability and provide for equal participation of persons with disabilities in society;

E. whereas the CRPD is the first international human rights treaty ratified by the EU, and has also been signed by all 28 EU Member States and ratified by 27 Member States; whereas the Member State that has not yet done so should finalise its reforms with a view to ratifying the CRPD;

F. whereas this is the first time that the EU has been monitored by a UN body in the fulfilment of its international obligations on human rights; whereas the concluding observations of the UN CRPD Committee published in 2015 regarding implementation of the Convention in the EU sent a strong message regarding the EU's commitment to equality and respect for human rights and provided for a set of guidelines for legislative and policymaking measures falling within the remit of the EU;

G. whereas the case law of the Court of Justice reinforces the fact that the CRPD is binding on the EU and on its Member States when implementing EU law, as it is an 'integral part of the European Union legal order' that has 'primacy over instruments of secondary law'[\(16\)](#) ;

H. whereas the CRPD principles go far beyond discrimination, pointing the way to the full enjoyment of human rights by all persons with disabilities and their families, in an inclusive society;

I. whereas persons with disabilities represent a diverse group, and whereas women, children, older people, and individuals with complex support needs face additional difficulties and multiple forms of discrimination;

J. whereas disability can be caused by a gradual and sometimes invisible degradation of the state of health of an individual, as is the case for people with neurodegenerative or rare diseases, which might have a negative effect on the independent living of the individual in question;

K. whereas an estimated 80 % of persons with disabilities live in developing

countries; whereas the EU supports the promotion of the rights of persons with disabilities at international level and is the world's biggest donor of official development assistance (ODA);

L. whereas children with disabilities are 17 times more likely to live in an institution than their peers without disabilities, where their risk of violence, neglect and abuse is much higher than when living at home⁽¹⁷⁾ ;

M. whereas children with disabilities have the right to live in (their) families or (a) family environment in line with their best interests; whereas family members often have to reduce or stop professional activities in order to care for family members with a disability;

N. whereas the UN Convention on the Rights of Persons with Disabilities stresses the need to incorporate a gender perspective into all efforts and to promote the full enjoyment of human rights and fundamental freedoms;

O. whereas equal treatment and positive measures and policies for women with disabilities and mothers of children with disabilities is a fundamental human right and an ethical obligation;

P. whereas women and girls with disabilities are exposed to several dimensions of discrimination in their everyday lives; it can take a variety of forms – physical, emotional, sexual and economic – and includes intimate partner violence, violence at the hands of caregivers, sexual violence and institutional violence;

Q. whereas women with disabilities are more likely to suffer domestic violence and sexual assault which reportedly lasts longer and is more intense than for women without disabilities⁽¹⁸⁾ ;

R. whereas women with disabilities, especially migrants, are at greater risk of poverty and social exclusion because of multiple discrimination;

S. whereas disability is a cause and can be a consequence of poverty, and whereas approximately 30 % of the homeless population have a disability and are at risk of being overlooked⁽¹⁹⁾ ; whereas social protection provided by the state in particular plays a significant role in preventing poverty amongst persons with disabilities and whereas, according to 2012 data, as many as 68,5 % of persons with disabilities would live in poverty without social transfers received from the state⁽²⁰⁾ ;

T. whereas it is imperative to enforce existing EU law and policy tools in order to maximise the implementation of the CRPD;

U. whereas a number of Member States that have ratified the CRPD have yet to

establish or designate bodies to implement and monitor the Convention pursuant to Article 33; whereas those already established are being hampered in the accomplishment of their tasks, especially with regard to monitoring under Article 33(2), by the lack of funding and manpower and the absence of a sound legal basis for their designation;

V. whereas one of the most fundamental pillars for persons with disabilities is participation and access to the labour market, which continues to be problematic, standing at 58,5 % compared with 80,5 % among persons without disabilities, thus preventing many persons with disabilities from living an independent and active life;

W. whereas the employment rate for women without disabilities is 65 %, compared with 44 % for women with disabilities; whereas women with disabilities are often discriminated against by comparison with men with disabilities when it comes to access to employment and education; whereas the high rate of unemployment among persons with disabilities remains unacceptable; whereas women and girls with disabilities encounter greater difficulties in entering the labour market; whereas barriers to mobility and higher dependence on family members and carers need to be overcome in order to encourage active participation by women with disabilities in education, the labour market and the social and economic life of the community;

X. whereas paid employment is crucial to enabling persons with disabilities to have an independent life and support their family and household; whereas women and girls with disabilities often face underpayment; whereas this vulnerable group of people is more likely to suffer poverty and is at a greater risk of social exclusion;

Y. whereas the EU, as a party to the CRPD, has the duty to ensure the close involvement and active participation of persons with disabilities and their representative organisations in the development and implementation of legislation and policies to implement the Convention and in all decision-making processes concerning issues that relate to persons with disabilities;

Z. whereas austerity measures applied by Member States have resulted in cuts in social services, support to families and community-based services and had disproportionately negative effects on the standard of living of persons with disabilities, especially of children with disabilities and their families;

AA. whereas the Commission has withdrawn its proposal on the Maternity Leave Directive;

AB. whereas Directive 2011/24/EU on the application of patients' rights in cross-border healthcare does not explicitly prohibit discrimination on the grounds of disability;

AC. whereas, because of demographic and societal changes, there is increased demand for domestic workers and carers, and in particular for family domestic workers and carers; whereas care of disabled and dependent people is usually carried out by women of the family, often leading to exclusion from the labour market;

AD. whereas the Committee on the Rights of Persons with Disabilities in its Concluding Observations on the initial report of the European Union recommends that the European Union mainstream the disability perspective in its gender policies and programmes, as well as the gender perspective in its disability strategies, and that it develop affirmative actions, establish a monitoring mechanism and fund data collection and research on women and girls with disabilities; whereas it further recommends that the European Union provide effective protection from violence, abuse and exploitation, that the work-life balance policy address the needs of children and adults with disabilities, including their carers, and that measures are undertaken to decrease the high unemployment rates of people with disabilities, the majority of whom are women;

AE. whereas in its reactions to Parliament's resolution of 27 September 2011 on Europe, the world's No 1 tourist destination – a new political framework for tourism in Europe([21](#)) , adopted by the Commission on 13 December 2011, the Commission acknowledged the need to ensure a seamless chain of accessible services to all (transport, accommodation, catering and attractions), and, to this end, it has started to put in place actions to raise awareness, improve skills in the tourism sector and ultimately increase the quality of tourist facilities for those with special needs or disabilities;

AF. whereas the needs of persons with disabilities, functional diversity and reduced mobility in the fields of transport, mobility and tourism match business innovation opportunities for transport and mobility services and can lead to win-win situations in serving people with all types of disabilities (including, but not limited to, people with reduced mobility (PRM), blind people, deaf and hard-of-hearing people, people with autism and people with intellectual or psychosocial disabilities) as well as all other users of these services, in the spirit of 'design for all';

General principles and obligations

1. Recalls that full inclusion of persons with disabilities is not only a right and a deserved benefit for the individuals concerned, but an asset for society as a whole as it may benefit from the value and diverse skills these persons bring forward;
2. Stresses that all persons with disabilities have the right to live in a society in which they enjoy equal opportunities with others, so as to ensure their full inclusion and participation therein;

3. Stresses the fact that the inclusion of persons with disabilities in society regardless of a country's socio-economic, political or cultural status is not just a development issue but also a human rights issue;
4. Draws attention to the fact that disabilities are becoming increasingly common as the population ages;
5. Considers that the EU should lead the way as regards the respect for and promotion of human rights; welcomes the fact that, for the first time, the EU's fulfilment of its international human rights obligations has been reviewed by a UN treaty body; considers that the UN CRPD Committee's concluding observations on the EU's implementation of the CRPD, published in 2015, represent an important sign of the EU's commitment to equality and respect for human rights and offer guidance for legislative and policy actions across the EU's sphere of competence;
6. Endorses the conclusions and recommendations of the Committee on the Rights of Persons with Disabilities and stresses the need for the EU Institutions and the Member States to incorporate the perspective of women and girls with disabilities into their policies, programmes and strategies on gender equality, and gender mainstreaming in their strategies on disability; calls, further, for mechanisms to be put in place for a regular review of the progress made;
7. Calls for Parliament, the Council and the Commission to implement fully the recommendations of the UN Committee on the Rights of Persons with Disabilities and to ensure that the Convention is honoured in all future legislation;
8. Urges the Commission and the Member States to allocate the necessary resources for the implementation of their obligations under the CRPD and the Optional Protocol thereto;
9. Strongly regrets the lack of sufficient formal consultation by the EU of organisations representing persons with disabilities in its preparations for the review process by the UN CRPD Committee in 2015 and in drafting its progress report; calls for disability organisations to contribute actively to CRPD meetings as an independent party including by taking part in official EU delegations for future reviews;
10. Calls on the Commission to consolidate and make a proposal for a genuine structured dialogue between the EU and organisations representing persons with disabilities, including appropriate funding to ensure full and equal participation by persons with disabilities and their representative organisations;
11. Emphasises the importance of systematic and close consultation between representative organisations of persons with disabilities, policymakers, business and

other relevant stakeholders in relation to all new initiatives, implementation, monitoring and evaluation of policies and actions related to education, training, culture, sport and youth;

12. Calls for strengthening existing equality bodies in order to assist in mainstreaming, promoting and monitoring the CRPD; reminds the EU and its Member States of the requirement to engage meaningfully with civil society, and in particular with organisations of persons with disabilities;

13. Calls on the EU to ratify the Optional Protocol to the CRPD;

14. Urges that a comprehensive and cross-cutting review and evaluation be carried out of existing and forthcoming EU legislation and funding programmes, including future programming periods, with a view to complying fully with the CRPD by constructively involving organisations representing persons with disabilities and the members of the EU Framework for the CRPD (hereinafter the 'EU Framework'), including the mainstreaming of disability in all legislation policies and strategies; calls on the Commission and the Member States to take the necessary measures to mainstream disability in all legislation, policies and strategies;

15. Calls for the inclusion of the rights of persons with disabilities in the EU global socio-economic agenda, in particular the Europe 2020 strategy and the European Semester; recommends the adoption of a Disability Pact to ensure that the rights of persons with disabilities are mainstreamed through EU initiatives;

16. Calls on the Commission, in the context of the European Semester, when evaluating the social situation in Member States (country reports and country-specific recommendations) to also focus on monitoring the situation of persons with disabilities as part of the EU's shared commitment to building a barrier-free Europe;

17. Believes that the EU institutions, in particular Parliament, the Council and the Commission, should move to ensure that all existing and future legislation is 'human rights proofed' and fully adheres to the CRPD;

18. Asks the Commission to provide a list of legislation with a view to proposing an update of the declaration of competence in light of the Concluding Observations, to be repeated periodically with the formal involvement of organisations representing persons with disabilities and of Parliament;

19. Calls on the Commission to consider in this regard a need to develop an EU framework which would guarantee the effective implementation of the rights of persons with disabilities, the promotion of their personal autonomy, accessibility, access to employment, social inclusion and independent life, and the eradication of

all forms of discrimination;

20. Shares the concerns of the UN CRPD Committee in relation to the European Union's lack of a clear strategy for implementing the UN Convention on the Rights of Persons with Disabilities;

21. Calls on the institutions to take exemplary action in integration policy;

22. Calls on the Commission to use the review of the European Disability Strategy to develop a comprehensive gender-inclusive EU CRPD strategy, including external action commitments with a clear implementation timeframe, and specific and precise benchmarks and indicators;

23. Deplores the discrimination and exclusion that persons with disabilities still face today; calls on the Commission to maximise synergies between the EU Disability Strategy 2010-2020 and the provisions of the UN Convention on the Elimination of all Forms of Discrimination Against Women and the UN Convention on the Rights of the Child in order to ensure that recognised rights are substantially enjoyed and effectively exercised, including by harmonising and implementing the legislative framework and through cultural and political action;

24. Invites the Commission to provide clarification as to the broad definition of disability at EU level;

25. Calls on the Commission to revise the Guide to Social Considerations in Public Procurement in order to highlight the social obligations, but also to point out the opportunities and benefits of investing in high-quality support services for persons with disabilities;

26. Calls on the Commission to review the impact assessment guidelines and to modify them in order to include a more comprehensive list of issues to better assess compliance with the Convention;

Specific rights

27. Calls on the Member States and the Commission, with a view to preventing victimisation, to take steps to combat all forms of discrimination, including multiple discrimination, discrimination by association and intersectional discrimination based on disability, with special regard to women and children with disabilities, older persons and individuals who have complex support needs, including those with intellectual and psychosocial disabilities and those whose disabilities change over time;

28. Regrets the fact that the Council has still not adopted the 2008 proposal for a

directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation; reiterates its call on the Council to do so as soon as possible;

29. Calls on the EU institutions and the Member States to mainstream the rights of women and children with disabilities, including in the next Agenda on the Rights of the Child, and to ensure that boys and girls and their representative organisations are consulted on all matters affecting them, with the provision of appropriate assistance according to their disability and age;

30. Emphasises that, if the rights of children with disabilities are to be protected, proper support for their families must be guaranteed by strengthening and building on the legislative instruments available to the EU, such as the instrument providing for extended parental leave for parents of children with disabilities;

31. Calls on the Commission to ensure that all persons with disabilities can enjoy the right to free movement held by all EU citizens by including in current and future legislation the guarantee of equal opportunities, fundamental rights, equal access to services and the employment market, and the same rights and obligations in accessing social security as nationals of the Member State in which they are covered, in line with the principle of equal treatment and non-discrimination; calls, furthermore, on the Member States, in terms of equality in employment, to comply fully with the provisions of the EU Gender Equality Recast Directive (2006/54/EC);

32. Highlights the need to support disabled migrant women and girls in order to develop skills that would give them opportunities to obtain suitable employment;

33. Stresses that in order to achieve autonomous and independent living for persons with disabilities, especially women, (personal or public) assistance is a means that would support them and their families, enabling them to access workplace, educational and vocational training institutions, and supporting them in the event of pregnancy and motherhood;

34. Reiterates the urgent need to address the issue of violence against women and girls with disabilities in private and institutional environments, and calls on the Member States to provide support services that are accessible to women and girls with all types of disabilities; advises the EU to become a party to the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention) as a further step in combating violence against women and girls with disabilities;

35. Recalls the importance of the fundamental right to participation by persons with disabilities in policy processes and decision-making on disability at all levels, as underlined by the CRPD; emphasises that women and girls with disabilities,

including those from marginalised and vulnerable groups facing multiple discrimination, must be enabled and empowered to participate in decision-making processes in order to ensure that their interests and rights are expressed, supported and protected, ensuring a genuine grassroots gender perspective; calls on the Member States to provide adequately adapted services and facilities that would empower their active involvement and participation, and to invest in assistive and adaptive technologies and e-inclusion;

36. Calls for the EU institutions to take effective measures to strengthen the lives of women with disabilities in accordance with the recommendations of the UN CRPD Committee as regards the review of the EU's implementation of the CRPD;

37. Is concerned that bringing up children with disabilities is a task that falls primarily to women;

38. Calls on the Commission and the Member States to continue to raise awareness about the CRPD and to combat prejudice and promote a better understanding of all persons with disabilities so that decisions are taken on the basis of their real needs;

39. Supports initiatives aimed at making society aware of the difficulties experienced by persons with disabilities and at making persons with disabilities more aware of their potential and the contributions they can make, among other things, through specific educational programmes in schools; stresses that the importance of the CRPD fundamentally lies in bringing about a change in cultural attitudes by recognising that obstacles in social and economic environments are what disable people rather than the disability in the person;

40. Asks the relevant authorities in the Member States to prepare awareness-raising strategies on the rights of persons with disabilities, to facilitate training for transport and tourism staff in awareness and disability equality, and to encourage collaboration and the exchange of good practice among European organisations working in the disability field and public and private bodies responsible for transport; urges that training materials also be made available in accessible formats;

41. Stresses that airline staff must be given rigorous training so that airlines can provide adequate services to persons with disabilities; stresses that particular attention must be paid to making sure that staff can handle wheelchairs without damaging them;

42. Welcomes the proposal for a European Accessibility Act⁽²²⁾ and is committed to its swift adoption with a view to ensuring the accessibility of goods and services, including the buildings in which those services are provided, together with effective and accessible national enforcement and complaint mechanisms; recalls the need for a comprehensive approach to accessibility and for measures to guarantee that those

with any type of disability enjoy this right in accordance with Article 9 of the CRPD;

43. Stresses the need to adopt the European Accessibility Act, which is instrumental in addressing all the issues related to PRM accessibility in the fields of transport, mobility and tourism, and ensuring that air, bus, rail and waterborne passenger transport services, especially as regards interchanges and step-free access on all public underground trains and railways, websites, mobile device-based services, smart ticketing and real-time information, and self-service terminals, ticketing machines and check-in machines used for the provision of passenger transport services are fully accessible for persons with disabilities;

44. Recognises that small and medium-sized businesses will benefit from complying with standard EU requirements, rather than having to adjust to divergent national rules; regrets, however, that tourism products and tourist services of a cross-border nature are not covered by the proposal for the European Accessibility Act; underlines the fact that no further actions have been taken at EU level regarding tourism facilities and services in order to gradually harmonise accommodation classification, taking into account accessibility criteria;

45. Calls on the Commission and the Member States to do more to promote research and development, particularly in terms of the accessibility of new and innovative technologies for persons with disabilities;

46. Calls on the Commission, when preparing future legislative acts in relevant areas, for instance in the digital agenda, to take account of the fact that accessibility is equally as important in the physical environment as it is in ICT;

47. Encourages the Member States, when applying the principle of accessibility, to ensure the application of ‘universal design’ for existing and new construction projects, the workplace and in particular public buildings, for example school buildings financed by public funds;

48. Calls on the Member States and the Commission to work with Parliament to deliver a clear and effective directive on the accessibility of public sector bodies’ websites, with a broad scope and a robust enforcement mechanism in line with the proposed European Accessibility Act and the CRPD, ensuring that the 80 million persons with disabilities and the 150 million elderly people in the EU enjoy equal access to websites and online public services;

49. Calls on the Commission, together with the Member States, to ensure that the EU-wide 112 emergency number is fully accessible and reliable, using state-of-the-art technology at national level and when roaming, in particular for deaf and hard-of-hearing citizens, thereby preventing unnecessary deaths and injuries; highlights the need for implementing measures at national level, inter alia to ensure compatibility

across Member States, including accessible national emergency points;

50. Calls on the Commission and the Member States to ensure that electronic and mobile health services, applications and devices, including the 112 emergency number, which must be easy to use anywhere in Europe, and the advanced mobile location (AML) system, are fully accessible to patients with disabilities and their respective carers, and to further exploit the potential of telemedicine to improve access and care in this context;

51. Stresses the need to increase support and specific provision for persons with disabilities in humanitarian settings, in particular children, and calls on the Commission to map investments and funding in support of persons with disabilities in emergencies, including gender- and age-disaggregated data;

52. Underlines the fact that ongoing conflicts and natural disasters are also contributing factors in the growing numbers of persons with disabilities;

53. Supports the CRPD expert recommendations for the EU to be more accessible and inclusive in order to achieve a human-rights-based approach to disability in situations of risk and emergency, including through implementation of the Sendai Framework for Disaster Risk Reduction 2015-2030; strongly urges the mainstreaming in EU migration and refugee policies of the human rights of persons with disabilities, who suffer double discrimination; stresses that these measures should provide an appropriate response to the specific needs of persons with disabilities and take into account the requirement for needs-based reasonable accommodation measures; encourages further mainstreaming of the needs of persons with disabilities in the humanitarian response provided by the Member States and the EU;

54. Calls for the EU to take the lead on the promotion of the rights of persons with disabilities in the implementation of the Sendai Framework and of the 2030 Agenda for Sustainable Development with its partner countries, regional organisations and at the global level;

55. Calls on the Commission to adopt an implementation plan in line with the Council conclusions of February 2015 on disability-inclusive disaster management and the Sendai Framework;

56. Reiterates the importance of the Council conclusions on the integration of disability-inclusive disaster management across the EU Civil Protection Mechanism and throughout the Member States; calls for the raising of awareness among, and the provision of information to, persons with disabilities and emergency and civil protection services on disaster-risk reduction initiatives and for psychological

support to be provided to persons with disabilities in the recovery phase of disasters;

57. Underlines the importance of giving special support to persons with disabilities in post-emergency situations;

58. Recognises that vulnerable members of society are further marginalised if they have a disability, and stresses that the EU institutions and the Member States should redouble their efforts to accommodate fully the provision of rights and services for all persons with disabilities, including stateless people, homeless people, refugees and asylum seekers and people belonging to minorities; underlines the need to mainstream disability in the EU's migration and refugee policies;

59. Asks the Commission and the Council, in accordance with Article 11 of the CRPD, when making proposals for resolving the refugee issue, for funding or for other support measures, to provide for special care for persons with disabilities;

60. Stresses that the EU should take appropriate measures to ensure that all persons with disabilities who have been deprived of their legal capacity can exercise all the rights enshrined in the EU Treaties and in EU legislation, including access to justice, to goods and services, and to banking, employment and healthcare, as well as voting and consumer rights;

61. Acknowledges that the CRPD has proved to be a positive and key instrument for promoting law reform and requiring Member States to re-examine how persons with disabilities are perceived; regrets, however, the difficult challenges still faced by persons with disabilities in strategic areas such as criminal justice and political participation; considers full and complete access to the political system for all persons with disabilities to be a priority; recognises that this access must be more than mere physical access to cast a vote, and should include a wide range of initiatives to open up the democratic process to all citizens; takes the view that this should include signed, Braille and easy-to-read election material, complete provision of the necessary assistance to persons with disabilities during voting procedures, the promotion of postal and proxy voting when possible, and the removal of barriers to those citizens with disabilities wishing to stand for election, as well as action to address existing rules regarding legal capacity and their impact on the ability of individuals to participate fully in the democratic process; calls on the Commission and the Member States to ensure that the provisions of Article 3(2) of Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime and of Directives 2010/64/EU on the right to interpretation and translation in criminal proceedings and 2012/13/EU on the right to information in criminal proceedings, and in particular of Directive 2013/48/EU on the right of access to a lawyer in criminal proceedings and in European arrest warrant proceedings, and on the right to have a third party informed upon deprivation of liberty and to communicate with third persons and with consular authorities while

deprived of liberty, are properly and fully implemented, especially in the case of persons with disabilities;

62. Strongly deplores the fact that many states continue to deny or restrict through court action the legal capacity of persons with intellectual difficulties; calls on the Member States to engage positively with the legal capacity issue by leaning towards supportive inclusion rather than automatic exclusion;

63. Is concerned about the difficulties that persons with disabilities still face in accessing justice; recalls that the right to access to justice is a core fundamental right and an essential component of the rule of law; calls on the Member States to take action in order to provide full procedural accommodation and to adjust procedures for such persons; considers that the Commission should consider including specific training programmes on the CRPD in the 2014-2020 EU Justice Programme; suggests that EU courts should apply their internal rules and instructions in a way that facilitates access to justice for persons with disabilities, and that the General Recommendations of the UN CRPD Committee should also be taken into account in the administration of justice;

64. Recognises the multiple ways in which the Hague Convention on the International Protection of Adults can functionally assist in implementing and supporting the international obligations of the parties to the CRPD; regrets, in this connection, the Commission's failure to follow up Parliament's resolution of 18 December 2008 with recommendations to the Commission on cross-border implications of the legal protection of adults([23](#)) ;

65. Underlines the violence, intimidation and sexual abuse at school, at home or in institutions, to which children with disabilities are more vulnerable; calls for the EU and its Member States to act with greater effectiveness and to combat violence against children with disabilities by means of specific measures and accessible support services;

66. Calls on the Commission to adopt effective measures to prevent violence against children with disabilities which target families, communities, professionals and institutions; notes that schools play a crucial role in promoting social inclusion and stresses the need for proper mechanisms that enable inclusion in mainstream schools and ensure that educators and teachers are properly prepared and trained to recognise and react to violence against children with disabilities;

67. Calls, furthermore, on the Member States to ensure that involuntary treatment and confinement are not permitted by law, in accordance with the latest international standards;

68. Urges that the principle of freedom of movement for persons with disabilities

within the EU be guaranteed by removing all the remaining barriers to the exercise of that freedom;

69. Stresses that the freedom of movement for European citizens must be guaranteed for persons with disabilities, to which end the Member States must ensure mutual recognition of their situation and social rights (Article 18 of the CRPD);

70. Regrets that the Council did not accept the inclusion of documents relating to disability within the scope of the Regulation on promoting the free movement of citizens and businesses by simplifying the acceptance of certain public documents in the EU;

71. Welcomes the European Disability Card Pilot Project; regrets the limited participation of Member States in the European Disability Card project, which, through practical measures, facilitates mobility and mutual recognition of the rights of citizens with disabilities in the Member States;

72. Emphasises that, if the rights of persons with disabilities are to be safeguarded in full, it is essential that such persons be guaranteed the right to choose how they want to live and how they want to maximise their potential, for example by making greater use of arrangements such as caregivers;

73. Deplores wholeheartedly the disastrous conditions in which persons with disabilities have been found to be placed in some Member States, and calls on the Member States to do everything possible to comply with the European Convention on Human Rights and Article 3 thereof, which bans inhuman and degrading treatment;

74. Urges the Commission and the Council to look after the needs of persons with disabilities better, and to take such needs consistently into account when reviewing EU regulations, such as those on passenger rights in different modes of transport (Regulations (EC) No 1107/2006 and (EC) No 261/2004 on air transport, Regulation (EC) No 1371/2007 on rail transport, Regulation (EU) No 1177/2010 on waterborne transport and Regulation (EU) No 181/2011 on bus and coach transport), and when drawing up legislation, for example on passenger rights in the context of multimodal journeys; stresses that the EU committed itself to a barrier-free Europe in 2010 in the European Disability Strategy 2010-2020;

75. Calls for the EU to strengthen monitoring of the implementation of legislation on passenger rights and to harmonise the work of the national enforcement bodies, and calls on the Member States to take all necessary steps towards the implementation of EU legislation aimed at improving transport accessibility at local, regional and state level for transport and tourism purposes (including buses and

taxis, urban public transport, and rail, air and waterborne transport, and also including stations, airports and ports) and to tackle the obstacles to a barrier-free Europe, for example by strengthening the competences of the relevant enforcement bodies under passenger rights legislation in order to ensure effective and equal rights for all passengers with disabilities across the EU, including with regard to accessibility and standardisation, harmonisation, technical requirements and incentives for businesses;

76. Calls on the Commission to clarify the responsibilities of each of the actors involved in providing care for PRM, with particular regard to transfers between different modes of transport, and to provide Parliament with information on the participation of associations for persons with disabilities and their role in the implementation of passenger rights regulations;

77. Emphasises that barrier-free accessibility to transport services, vehicles, infrastructure and intermodal connecting hubs, in particular in rural areas, is the key to securing mobility systems free from built-in discrimination; stresses, in this connection, that persons with disabilities must have access to products and services and that further effort has to be made to make transport and tourism services, vehicles and infrastructure accessible; points out that the Connecting Europe Facility offers the possibility of financing measures in urban areas and measures to improve accessibility for persons with some type of disability, which may amount to up to 10 % of adaptation costs;

78. Calls on the Commission, in its annual report on the implementation of TEN-T funds, to publish the progress made on measures and the amount of aid granted for adapting infrastructure to persons with disabilities under the Connecting Europe Facility and other types of EU funding; calls likewise on the Commission to take action to promote greater involvement in projects geared to adapting infrastructure to persons with disabilities, including, among other things, information and dissemination sessions for potential developers;

79. Highlights, in this connection, the importance of financing measures in urban areas, where people have to switch between different modes of transport more frequently and where people with some type of mobility dysfunction encounter the most difficulties;

80. Underlines the fact that consistently accessible formats should top the agenda in respect of digitised mobility market policies, and should facilitate access for all persons with all types of disabilities by using accessible languages, formats and technologies appropriate to different kinds of disabilities, including sign languages, Braille, augmentative and alternative communication systems and other accessible means, modes and formats of communication of the person's choice, including easy-to-read language or pictograms, subtitling and personal text messages, for travel

information, booking and ticketing, allowing use of more than one sensory channel; urges the Commission, with regard to transport facilities and services, to establish the appropriate monitoring and control mechanisms to ensure that accessibility and assistive devices for persons with disabilities are also offered in public transport services in all Member States;

81. Emphasises that persons with disabilities should be able to obtain information about multimodal, cross-border services which provide door-to-door transport in such a way that they can choose between the most sustainable, the cheapest or the quickest service, and to book and pay for such services online;

82. Calls for real-time travel information to be made available so that, before they set out on a journey, persons with disabilities can obtain information about disruptions or alternative travel arrangements;

83. Stresses that persons with disabilities need to have access to information and communication in accessible formats and technologies appropriate to different kinds of disabilities, including sign languages, Braille, augmentative and alternative communication and other accessible means, modes, formats of communication of their choice, including easy-to-read formats and subtitling; calls, therefore, on the Commission to take the necessary measures to enforce the implementation of EU legislation on access to information and communication; urges the Council to adopt without further delay the Decision on the conclusion of the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired, or otherwise Print Disabled; calls on the Council and the Member States to implement consistent and effective measures in line with its provisions;

84. Recalls that independence, integration and access to an inclusive education and training system, civic and cultural life, leisure and sport are rights guaranteed by Articles 19, 24 and 30 of the CRPD; recalls that these rights are protected under EU law, in particular Article 21 of the Charter of Fundamental Rights, which prohibits discrimination on the grounds of disability and on the basis of the principle of full and effective participation, including democratic participation and inclusion in society of persons with disabilities (Article 3 of the CRPD); asks the Commission and the Member States, therefore, to reinforce measures aimed at ensuring that persons with disabilities have effective and equal access not only to key areas such as inclusive, quality education, culture and sport, but also to extracurricular activities, such as theatre, languages and arts; asks the Commission to include disability-specific indicators in the Europe 2020 strategy when pursuing the education and training targets;

85. Recalls the draft General Comment by the UN CRPD Committee on Article 24 ('the Right to Inclusive Education'), which details its normative content, the obligations of states, its relationship to the other provisions of the convention, and its

implementation at the national level;

86. Recalls that programmes targeted at young people should take a special interest in young persons with disabilities;

87. Notes that post-2018 youth strategies should mainstream the needs of young persons with disabilities;

88. Recalls that persons with disabilities are often excluded from, or do not have effective access to, education and training services, where tailored education processes that take into account their level of disability are needed to help them reach their full social, economic and educative potential; stresses that the necessary measures should be taken to ensure that all students with disabilities receive the reasonable accommodation needed to enjoy their right to inclusive, quality education; encourages the Member States and responsible devolved regional and local governments to strengthen training programmes and continuous professional development opportunities for all relevant stakeholders involved in non-formal and informal learning settings, as well as their access to ICT infrastructures in order to support their work with learners with disabilities and to combat prejudice against persons with disabilities, especially persons with psychosocial and intellectual disabilities;

89. Calls on the Commission and the Member States to adopt effective measures to tackle the segregation and rejection of students with disabilities in schools and learning environments and to give them access to reasonable accommodation and the support they need, so as to facilitate the learner in attaining his or her full potential; highlights the fact that equal opportunities can only be achieved if the right to inclusive education and training is granted at all levels and types of education and training, including lifelong learning, and therefore if the recognition of qualifications for persons with disabilities is guaranteed, in particular those acquired thanks to supportive learning environments where persons with disabilities can specifically learn competences and skills that enable them to overcome their disabilities; points out the technical and financial shortcomings of special education programmes, particularly in the Member States affected by the crisis, and calls on the Commission to examine how matters can be improved;

90. Notes the progress that has been achieved in the regulation of student exchange programmes, in particular the Erasmus+ programme, by including supplementary financial support for the mobility of students and staff with disabilities, and insists that it is necessary to continue to make specific provision throughout all aspects of the programme; acknowledges that in practice disabled students still face numerous barriers (in terms of attitudes, communication, architecture, information, etc.); calls on the Commission and the Member States to increase their commitment in favour of the participation of persons with disabilities in the EU exchange programmes and

to improve the visibility and transparency of mobility opportunities; calls, furthermore, on the Commission to promote the exchange of best practices regarding access to exchange programmes for students and teachers with disabilities;

91. Calls for education systems to refrain from creating environments that give learners labels, such as banding and streaming, as this negatively affects students with disabilities, especially those with learning difficulties;

92. Urges the Commission to include a disability-specific component in its evaluation of the Cross-Border Healthcare Directive, and urges the Member States to further the implementation of that directive, including from the perspective of the needs of persons with disabilities and their right to know, and avail effectively, on an equal basis with others, of the directive's provisions and instruments, awareness of which is low even among the general population;

93. Highlights the strong correlation between disability, which affects over 15 % of the EU's population, and ill-health, with difficulties and persistent barriers in access leading to the inadequate or unmet provision of healthcare services to persons with disabilities, including when the disability results from a drug adverse reaction; notes that the lack of access to quality health services has a negative effect on the ability of those with disabilities to live independently, inclusively and on an equal basis with others;

94. Notes with concern that persons with disabilities report significantly higher rates of inadequate provision or denial of care, and instances of forced or ill-treatment, pointing to the lack of training of healthcare professionals on the healthcare needs of persons with disabilities; calls on the Member States to invest in the training of professionals who treat and assist persons with disabilities;

95. Stresses that the informed consent of persons with disabilities must be sought for all medical interventions requiring it, and that all necessary measures must therefore be in place to ensure that these persons can access and understand the relevant information; stresses that their consent must be given personally, in advance and in full knowledge of the facts, with all necessary mechanisms to ensure that these principles are complied with, and that similar, appropriate measures must also be taken in regard to persons with psychosocial disabilities;

96. Calls on the Commission to integrate disability-oriented approaches into its health instruments and policies so as to contribute to improved health outcomes for persons with disabilities in the Member States, through better physical, environmental and sensory accessibility, quality and affordability, and, while instruments and policies are being developed along these lines, to hold thorough consultations with persons with disabilities;

97. Reiterates that reproductive rights are among the fundamental freedoms guaranteed under the 1993 Vienna Declaration and Programme of Action and the CRPD, including: the right to equality and non-discrimination, the right to marry and found a family; the right to comprehensive reproductive healthcare, including family planning and maternal health services, education, and information; the right to give informed consent to all medical procedures, including sterilisation and abortion; and the right to be free from sexual abuse and exploitation;

98. Calls on the Member States to adopt measures to ensure that all healthcare and services provided to women with disabilities, including all reproductive health and mental healthcare and services, are accessible and based on the free and informed consent of the individual concerned;

99. Urges the Member States to adopt guidelines to ensure that all education, information, healthcare and services relating to sexual and reproductive health are made available to women and girls with disabilities in accessible and age-appropriate formats, including sign languages, Braille, tactile communication, large print and other alternative modes, means and formats of communication;

100. Reconfirms its view that the need to provide specialised support, including childcare assistance, to women and men with disabilities, together with their families, must be addressed in order to enable them to enjoy motherhood and fatherhood to the full;

101. Stresses that health insurance schemes must not discriminate against persons with disabilities;

102. Urges the Commission to develop EU-wide guidance for the National Contact Points on the provision of accessible information to all patients about care in other Member States, bearing in mind the particular role of patient organisations;

103. Encourages the Commission to assist the Member States and members of the European Reference Networks in extending the network's resources and expertise to forms of disability which, though not necessarily rare, also require highly specialised healthcare provided by multidisciplinary healthcare teams and a concentration of knowledge and resources through this framework;

104. Maintains that products and services must be made more accessible to persons with disabilities; points out that economic and cost-benefit barriers are preventing accessibility from being developed and implemented; believes that greater involvement of persons with disabilities when health-related products and services are being developed will make for greater safety and accessibility;

105. Underlines the fact that persons with physical disabilities also face problems on

the digitised mobility market, and calls for the facilitation of access for all persons with all types of disabilities in accessible languages, formats and technologies appropriate to different kinds of disabilities, including sign languages, Braille, augmentative and alternative communication systems and other accessible means, modes and formats of communication of their choice, including easy-to-read language, subtitling and personal text messages, in particular for health information, while making use of more than one sensory channel;

106. Encourages the Commission to make sustained efforts to boost health prevention and promotion in order to address the serious disparities in health and access which affect the most vulnerable persons with disabilities;

107. Calls on the Commission and the Member States to advocate the classification of memory-disabling disease as a disability;

108. Urges the Commission and the Member States to give proper acknowledgment to the key role of family caregivers and to ensure that they also have appropriate access to health services in view of the impact that caring for persons with disabilities has on their own physical and mental health and well-being;

109. Calls on the Member States and the Commission to ensure that employment-related rights and services, including reasonable accommodation in the context of the Employment Equality Directive, are portable and in line with the freedom of movement for persons with disabilities as outlined in the Treaties; calls on the Member States to introduce incentives for employers and active labour market policies to support the employment of persons with disabilities; acknowledges the potential of both the social economy and the emerging digital economy for providing employment to persons with disabilities;

110. Is worried by the high rates of unemployment among persons with disabilities, especially among women with disabilities, by comparison with other population groups in the European Union; calls on the Member States to foster and ensure a policy framework for participation of women with disabilities in the labour market, including those with hidden disabilities, chronic conditions or learning disabilities;

111. Is concerned that the Employment Equality Directive does not explicitly make the denial of reasonable accommodation for persons with disabilities a form of discrimination; asks the Commission to provide a state of play on the kinds of complaints received and to consider in this regard whether a revision of the Directive is necessary;

112. Highlights the benefits of going beyond the framework of employment in sheltered workshops and establishing employment conditions for persons with disabilities which include them in the open labour market; stresses the importance of

the sharing of good practices between public authorities, organisations representing persons with disabilities, support service providers, experienced employers and other relevant actors;

113. Calls on the Commission and the Member States to further promote the employment of persons with disabilities via social and solidarity-based economy enterprises, and thus to help persons with disabilities enter the labour market; calls on the Commission in this regard to further promote the newly emerged social investment market via the tools that have been created as part of the Social Business Initiative and to inform Parliament of its mid-term review results;

114. Points out that, in order to prevent persons with disabilities from being made redundant, it is vital to allow them to perform their work in accordance with specific legislation; recommends, moreover, that proper checks be implemented, in addition to cooperation with job centres and companies, in order to prevent persons with disabilities from being marginalised from the labour market and in order to harness their full potential;

115. Urges the Member States to adopt quality frameworks for traineeships, and to encourage and develop opportunities for apprenticeships and training for persons with disabilities, while ensuring reasonable accommodation and accessibility to ensure social protection and facilitate the integration of persons with disabilities into the labour market;

116. Calls on the Member States to take urgent measures to prevent and reverse the negative effects that the austerity measures have had on the social protection of persons with disabilities;

117. Calls on the Member States to implement effective mechanisms in order to prevent or alleviate poverty, vulnerability and social exclusion among persons with disabilities and their families, with special regard to children and older persons with disabilities, in the context of a European Pillar of Social Rights;

118. Calls on the Member States to refrain from cuts to disability-related benefits, community-based services, health services, training and education programmes that will undermine the CRPD and further increase the level of poverty and social exclusion;

119. Urges the Commission and the Member States, once again for the purpose of combating the social exclusion of persons with disabilities and their families, to promote, on the basis of common rules, measures to combat the poverty faced by many families of disadvantaged individuals, with reference to clear indicators on which to base the necessary care;

120. Underlines that Article 7 and Article 96(7) of the Common Provisions Regulation (EU) No 1303/2013 require the Member States and the Commission to ensure that equal opportunities, non-discrimination and inclusion of persons with disabilities are taken into account and promoted in the implementation of the European Structural and Investment Funds (ESI Funds) in general and in the Operational Programmes in particular; calls for an integrated approach to address the specific needs of persons with disabilities; calls on the Commission therefore to monitor closely the application of the general ex-ante conditionalities on anti-discrimination and disability; stresses that their evaluation should appraise the adequacy of planned measures to promote equal opportunities between men and women and the integration of persons with disabilities, in particular as regards accessibility of funding;

121. Urges policy makers at local, regional, national and EU level to ensure efficient monitoring of the implementation of the provisions aimed at non-discrimination, as well as the accessibility and use of ESI funding to support equal access to all services, including the internet, for persons with disabilities and equal and sufficient living arrangements in local communities in all areas (e.g. rural and sparsely populated areas and urban areas), as well as to institutions taking care of them; notes nevertheless that social policies and their financing primarily remain the responsibility of the Member States;

122. Calls on the Commission to monitor closely whether the principle of non-discrimination and the related legislation is respected when ESI Funds are used; underlines that bodies responsible for promoting social inclusion and non-discrimination, including organisations representing persons with disabilities, need to be involved in the partnership during the programming and implementation phase of the Operational Programmes, to ensure that the interests and concerns of persons with disabilities are effectively taken into account; urges the use of ESI Funds to respect minimum standards regarding accessibility, mobility and housing for persons with disabilities, and notes that this entails an important and challenging task, especially for the local and regional authorities;

123. Calls on the Member States to make better use of structural funds, in particular the European Social Fund and the Creative Europe Programme, involving as much as possible national, regional and local organisations representing persons with disabilities; stresses moreover the importance of guaranteeing full accessibility for persons with disabilities to the labour market, education and training, Erasmus+, the Youth Guarantee and EURES initiatives;

124. Calls on the Member States to disseminate the principle under which ESIF contracting authorities may exclude applicants for failing to meet the commitment to accessibility for persons with disabilities;

125. Welcomes the ex-ante conditionalities on social inclusion and its investment priority on the ‘transition from institutional to community based services’ in the Common Provisions Regulation ; calls on the Member States to use the funds for the purpose of deinstitutionalisation and as a tool for implementing the CRPD;

126. Is concerned that the European Structural and Investment Funds are being misused to foster institutionalisation, and calls on the Member States and the Commission to strengthen their monitoring in line with the CRPD and in consultation with organisations representing persons with disabilities; believes that transparency principles should govern the entire procedure from the allocation of funds to their actual use;

127. Calls on the Commission and the Member States to take the necessary measures, including through the use of ESI Funds and other relevant EU funds, to develop high-quality and affordable support services in local communities for boys and girls with disabilities and their families, including persons in need of high-level support, to foster deinstitutionalisation and prevent new institutionalisation, and to promote inclusive communities and access to inclusive quality education for boys and girls with disabilities;

128. Believes that the EU institutions should consider opening future and existing funding streams to organisations actively representing persons with disabilities;

129. Calls on the Commission to continue working towards the inclusion of persons with disabilities through the provision of financial support for a range of grassroots projects and organisations;

130. Calls for the EU institutions and the Member States to give persons with disabilities an active role in decision-making processes, including through their representative organisations, in accordance with Article 4(3) of the CRPD; urges, further, that due account should be taken of the views expressed by persons with disabilities in the course of such processes;

131. Reiterates the importance of exceptions and limitations to copyright and related rights being available to persons with disabilities; notes the conclusion of the Marrakesh Treaty aimed at facilitating access to works published by the blind or visually impaired, and reiterates its conviction that the EU is competent to conclude this treaty without ratification being conditional upon revision of the EU legal framework or the timing of a ruling by the Court of Justice; stresses also in this respect the need for Parliament, the Commission and the Member States to work together to ensure swift ratification of the Marrakesh Treaty;

132. Emphasises that any legislative change in the field of copyright and related rights should provide persons with disabilities access to works and services protected

by those rights in any format; recalls that the Commission is due to submit legislative proposals on exceptions and limitations to copyright and related rights in order to ensure that persons with different disabilities have access to works and services protected by those rights;

133. Insists on the importance of digital systems for persons with disabilities as a tool for facilitating their participation in all aspects of society, and recommends continuing to investigate the use of ambient-assisted technologies in education; recognises that a disproportionate number of persons with disabilities are not currently online, and that they are left out of digital developments and, as a result, are missing out on information, opportunities, learning new skills and accessing important services; calls therefore on the legislators at national and EU level to include accessibility provisions when implementing digital single market legislation, to mainstream the issue of digital content accessibility in all relevant policies, to initiate training programmes for ‘Digital Champions’ within communities to encourage more persons with disabilities to go online, and to take the necessary measures to fight cybercrime and cyberbullying; calls on the Commission and the Member States to ensure that intellectual property rights do not pose an unreasonable or discriminatory barrier to access by persons with disabilities to cultural materials and to consider a mandatory exception to copyright in cases of use, for the benefit of persons with disabilities, which are directly related to the disability and of a non-commercial nature, to the extent required by the specific disability; calls for a cross-cutting approach to the human rights of persons with disabilities to be applied in all EU policies;

134. Recalls that sport is an extremely valuable tool in the context of social inclusion as it provides opportunities for interaction and the attainment of social skills; calls on the Commission and the Member States, pursuant to Article 30 of the UN Convention on the Rights of Persons with Disabilities, to launch specific programmes aimed at making sports activities and sports events more accessible for persons with disabilities; notes that the right to have full access to cultural performances or recreational activities are basic rights, and calls therefore on the Commission to improve the accessibility to such events, venues, goods and services, including in the audiovisual field; welcomes the initiatives to provide audiovisual and other works with suitable subtitles or audio description so as to make them accessible to persons with disabilities;

135. Is of the opinion that for persons with disabilities digital instruments should be developed to help the integration of sportsmen and sportswomen with disabilities, as well as platforms for teleworking, hot-desking and co-working; believes in addition that quality teaching and sports infrastructure in schools should be adapted to the needs of children with disabilities and that in each Member State a national and regional strategic policy framework should be in place for lifelong learning, containing concrete measures for the development of skills for persons with

disabilities;

136. Recalls that the MEDIA sub-programme of Creative Europe should pay special attention to projects including the issue of disabilities, and that the educational power of films and festivals in this regard should be emphasised;

137. Maintains that accessibility is essential if persons with disabilities are to take full advantage of the European tourism offering;

138. Emphasises that tourism services must take into account the special needs of persons with disabilities such as easy access to information and communication and to facilities such as rooms, bathrooms, toilets and other indoor areas;

139. Maintains that the ‘tourism for all’ principle should be the reference point for any tourism-related action at national, regional, local or European level; points out that tourism service providers should allow for the needs of persons with disabilities by promoting the adaptation of facilities and staff training activities;

Specific obligations

140. Calls for the development of human-rights-based indicators, and calls on the Member States to provide quantitative and qualitative comparable data disaggregated on the basis of various factors, including by gender, age, employment status and disability, for all activities in the EU; calls on the Commission to fund relevant research and data collection, for example on accessibility of tourism and healthcare services, violence, abuse and exploitation of all persons with all types of disabilities in the community and in the institutions;

141. Calls on the Commission to harmonise data collection on disability through EU social surveys in line with Article 31 of the CRPD, in order to accurately identify and publicise developments in the sector; emphasises that such data collection should use methodologies that are inclusive of all persons with disabilities, including those with more severe impairments and those living in institutions; all data collected should be subject to the rigours of human rights and data protection initiatives, including, but not limited to, provisions set out in the European Convention on Human Rights, the European Charter of Fundamental Rights and the European Data Protection Directive; stresses that such surveys must be as specific and as targeted as possible and should be followed by appropriate studies and workshops which result in suitable and effective forms of action;

142. Calls on the Commission to systematically mainstream the rights of persons with disabilities in all EU international cooperation policies and programmes;

143. Underlines the importance of achieving all disability-related Sustainable

Development Goals (SDGs), in particular Goal 4 on ensuring inclusive, equitable quality education and the need to increase the number of schools with access to adapted infrastructure and materials for students with disabilities and to invest in teacher competencies for inclusive education and participation of children in school and the community;

144. Highlights the pledge to leave no one behind and the references to disabilities in the SDGs, specifically in the sections related to education, growth and employment, inequality and the accessibility of human settlements, and as regards data collection and monitoring of the SDGs, and recommends that the EU take the lead in the implementation of the disability-inclusive SDGs; underlines in addition the references to the Sendai Framework for Disaster Risk Reduction (DRR);

145. Recommends that the EU take the lead on a disability-inclusive implementation of the 2030 Agenda for Sustainable Development and establish a work plan and a mid-term review of the work plan in order to guarantee a monitoring and evaluation mechanism and ensure EU accountability;

146. Invites the Commission to draft an implementation plan for the SDGs and DRR in line with the CRPD; underlines that such a plan should make an important contribution to the definition of indicators in areas related to disability and socio-economic inclusion; stresses that poverty, social protection, health coverage, violence against women, sexual and reproductive health and rights, access to water, sanitation and energy, resilience to disasters and birth registration deserve particular attention in the definition of the SDG indicators;

147. Stresses the fact that all EU policies and programmes, both externally and internally, must comply with the CRPD and establish specific measures which guarantee that the rights of persons with disabilities are mainstreamed in all domains, including humanitarian and development policies and programmes; calls on the EU, to this end, to adopt a harmonised policy on disability-inclusive development and to establish a systematic and institutionalised approach to mainstreaming the rights of persons with disabilities in all EU international cooperation policies and programmes;

148. Recommends that EU delegations and agencies display a sufficient understanding of EU disability strategies and work in an inclusive and accessible way; suggests the creation of a ‘focal point’ for the CRPD in the European External Action Service; calls for the urgent introduction of a disability perspective in all training courses on human rights provided in the framework of the Common Security and Defence Policy (CSDP) missions;

149. Calls, furthermore, on the EU to:

- put in place more development projects which focus specifically on persons with disabilities;
- establish a mechanism to build capacity and share good practices among the various EU institutions and between the EU and its Member States on disability-inclusive and accessible humanitarian aid;
- put in place focal points for disability issues in EU delegations, appointing trained liaison officers who can offer the benefits of their expertise and professionalism to persons with disabilities;
- address disability issues in dialogues with partner countries and support and engage in strategic cooperation with the partner country disability NGOs;
- review the Multiannual Financial Framework (MFF) and the European Development Fund (EDF) in the context of the CRPD;
- include a reference to mainstreaming disability issues into EU policies in the possible new European Consensus on Development;
- consider earmarking funds provided for all EU international cooperation policies and programmes for national programmes for persons with disabilities;
- provide children likely to be at risk with swift, appropriate and comprehensive care, given the importance of early intervention;

150. Welcomes new Objective 12 in the Action Plan on Human Rights and Democracy 2015-2019; calls on the Commission to ensure that the implementation of the Convention on the Rights of Persons with Disabilities is systematically raised in human rights dialogues with third countries; calls on the EU Special Representative for Human Rights to lead and monitor progress in this field, with special regard to standardisation efforts in terms of accessibility;

151. Supports the effective inclusion of persons with disabilities in society, namely in local communities, and the funding of services for persons living independently through programmes under the external action financing instruments; calls for more streamlined use of the EU Structural Funds; calls for the mid-term evaluation of the external financing instruments in order to assess how effectively they have contributed to the inclusion of persons with disabilities in their societies, barriers have been dismantled, and accessibility has been promoted; demands, furthermore, that any expenditure in EU programmes that support institutionalisation avoid the segregation of persons with disabilities; calls for the strengthening and monitoring of expenditure in consultation with disability organisations;

152. Suggests that all people employed by the EU in the management of its external borders and asylum reception centres should undergo specific training relevant to the needs of persons with disabilities in order to ensure that their needs are met;

153. Welcomes the Commission's withdrawal from the independent monitoring framework (the EU Framework); is committed to finding the most appropriate setup for the EU Framework so that it is fully in line with the CRPD and the Paris

Principles, and urges that the Code of Conduct between the Council, the Member States and the Commission setting out internal arrangements for the implementation by and representation of the European Union relating to the UN Convention on the Rights of Persons with Disabilities be reviewed and amended in such a way as to involve the European Parliament as well;

154. Stresses the need for enhanced political cooperation within the framework, including the financial and human resources to ensure that it can fulfil its obligations and implement the recommendations set out in the CRPD;

155. Attaches the highest importance to Article 33 of the CRPD (‘National implementation and monitoring’) and to the UN CRPD Committee’s Concluding Observations 76 and 77, and welcomes accordingly the approval given by the UN CRPD Committee to Parliament’s presence in the EU Framework;

156. Calls on the budget authorities to allocate adequate resources to enable the EU Framework to perform its functions independently;

157. Points out that the Committee on Petitions provides active protection for European citizens (natural or legal persons) pursuant to Article 227 TFEU, enabling them to lodge a complaint against an infringement of their rights on the part of European, national and local authorities, including those derived from the application of European policies whose purpose is to implement the CRPD, in the context of the Declaration in relation to the delimitation of competences annexed to the Final Act adopting the Treaty;

158. Highlights the fact that the Committee on Petitions is recognised as one of the institutional instruments of the EU (alongside the Ombudsman, appointed to protect citizens in the event of maladministration) able to play the protection role within the EU Framework, in keeping with the principles relating to the operation of national institutions set up to protect and promote human rights (‘Paris Principles’), adopted by the General Assembly of the United Nations in its 1993 resolution 48/134;

159. Points out that, in order to perform the protection role, the Committee on Petitions places its duties at the service of the independent monitoring framework as regards preliminary investigations into infringements of EU law implementing the CRPD, the forwarding of petitions to other parliamentary committees for them to investigate or take the corresponding action, and on-the-spot visits to gather information and establish contact with the national authorities;

160. Recalls that the Committee on Petitions receives a considerable number of petitions from persons with disabilities every year, demonstrating the reality of millions of people across Europe encountering difficulties on a daily basis with regard to access to work and employment, education and transport or participation in

political, public and cultural life; stresses the importance of Article 29 of the CRPD on the participation without discrimination of persons with disabilities in political and public life;

161. Points out that the petitions that have received most attention have often been backed by civil society organisations representing persons with disabilities, and there is thus a need to promote and publicise the protection role and effectiveness of petitions based on infringements of these rights; praises the role played by these organisations when it comes to promoting social inclusion and an improvement in the quality of life of persons with disabilities;

162. Takes note of petitions portraying cases of wrongdoing in some Member States when it comes to ensuring the subsistence of persons with disabilities, not only concerning the lack of payment of subsidies granted by law, but also cases such as in petition 1062/2014 where authorities allegedly made arbitrary administrative decisions in order to reduce the allowances previously granted on the basis of dubious medical assessments effectively reducing the degree of disability; asks the national, regional and local authorities concerned to be more sensitive to the implications of such actions on the lives of the individuals affected and their families, and requests that the Commission monitor thoroughly the various policies and related measures concerning disabilities that are implemented in the different Member States;

163. Notes that some Member States that have ratified the CRPD have yet to establish or designate the bodies to implement and monitor the Convention, as required under Article 33; notes that the work of those bodies already established, in particular the monitoring frameworks set up under Article 33(2), is impeded by a lack of financial and human resources and the absence of a solid legal basis for their designation;

164. Urges all Member States to allocate the monitoring frameworks established under Article 33(2) sufficient and stable financial and human resources to carry out their functions; considers that they should also guarantee the independence of monitoring frameworks by making sure that their composition and operation takes into account the Paris Principles on the functioning of national human rights institutions, as required under Article 33(2) – this would be supported by establishing a formal legal basis, clearly setting out the frameworks' role and scope; urges those Member States which have still to designate Article 33 bodies to do so as soon as possible and equip them with the resources and mandates to effectively implement and monitor their obligations under the CRPD;

165. Highlights that the CRPD network needs to be strengthened to appropriately coordinate CRPD implementation internally but also interinstitutionally, while actively involving and closely consulting with persons with disabilities and their

representative organisations in its activities and meetings;

166. Urges all EU institutions, agencies and bodies to establish focal points, and stresses the need for a horizontal interinstitutional coordination mechanism across DGs and EU institutions; calls for the necessary arrangements to form part of a CRPD implementation strategy;

167. Calls for the strengthening of interinstitutional coordination between the implementation mechanisms of the different EU institutions;

EU institutions' compliance with the Convention (as public administrations)

168. Considers it important that the Committee on Petitions organise targeted events focusing on petitions in the field of disabilities, and stresses the important role of dialogue with input from multiple stakeholders, including other relevant committees of the European Parliament, members of the EU Framework for the CRPD, civil society organisations representing persons with disabilities and academics;

169. Welcomes the fact that the public hearing 'Protection of the rights of persons with disabilities, from the perspective of petitions received', organised by the Committee on Petitions on 15 October 2015, met high accessibility standards, and recommends that all Parliament committee meetings be made accessible to persons with disabilities in the future;

170. Welcomes the use of Braille in communication with petitioners, and encourages all EU institutions to use sign language, easy-to-read formats and Braille in their communication with citizens in order to maintain and strengthen efforts to include citizens in the work of the institutions and the European project;

171. Calls for the Member States and the EU institutions to ensure that opportunities to take part in public consultation procedures are effectively and widely publicised by means of communications which are accessible to persons with disabilities who use languages such as Braille and easy-to-read versions;

172. Calls for the Member States and the EU institutions to ensure that opportunities to participate in consultation processes are clearly and widely publicised using accessible communications, that input can be provided in other formats such as Braille or easy-to-read versions, and that public hearings and meetings discussing proposed laws and policies should be made fully accessible to persons with disabilities, including those with intellectual and learning disabilities;

173. Underlines the need to facilitate the effective participation and freedom of expression of persons with disabilities at public events and meetings hosted by the institutions or held on their premises by providing captioning and sign-language

interpretation, documents with Braille-printing and in easy-to-read formats;

174. Calls on the Board of Governors of the European Schools, including the Commission, to ensure inclusive quality education at the European Schools in accordance with CRPD requirements as regards multidisciplinary assessments, the inclusion of children with disabilities, and the provision of reasonable accommodation, while guaranteeing the inclusive participation of parents with disabilities;

175. Calls on the institutions to support and promote the work of the European Agency for Special Needs and Inclusive Education;

176. Calls for the EU to revise the rules of the Joint Sickness Insurance Scheme, the pension system and disability-related social security and social protection measures in order to ensure non-discrimination and equality of opportunities for persons with disabilities, inter alia by recognising disability-related health needs as being distinct from an illness and promoting independent living and working by full reimbursement of the additional cost of equipment or service that is necessary for work (for example a Braille printer, hearing aids, sign-language interpreter, captioning services, etc.);

177. Urges the institutions, agencies and bodies to ensure that existing staff regulations are fully and effectively implemented in line with the CRPD and that internal rules and implementing provisions are developed in full compliance with CRPD provisions, as part of an open and disability-inclusive process, in order to address the Concluding Observations;

178. Calls for the provision of adequate needs-based and CRPD-compatible reasonable accommodation for persons with disabilities – or people with dependent family members with disabilities – who are in the service of the European institutions, paying particular attention to the needs of parents with disabilities;

179. Urges the institutions to adopt comprehensive recruitment, retention and promotion policies, including temporary positive measures, to increase actively and substantially the number of officials or staff and trainees with disabilities, including psychosocial and intellectual disabilities in line with Directive 2000/78/EC Article 5;

180. Recommends that comprehensive CRPD training modules for staff be drawn up in consultation with organisations representing persons with disabilities, focusing on frontline personnel, management and public procurement;

181. Urges the EU institutions to make their internet-based content and apps, including their intranets and all essential documents and audiovisual content,

accessible while equally ensuring physical accessibility of their buildings;

182. Calls on the Commission to work closely with other EU institutions, bodies and agencies, as well as the Member States, to coordinate effective and systematic follow-up of the concluding observations, possibly via a strategy on the implementation of the CRPD;

183. Calls on the EU and the Member States to ensure consultation and the systematic and structured involvement of organisations representing persons with disabilities when implementing their respective final observations;

184. With regard to Article 35 of the CRPD, which obliges those Member States that have signed the Convention to submit an initial report and subsequent reports on their implementation of the Convention, considers that such reports should be submitted every four years and should be drawn up with the involvement of disability organisations;

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185. Instructs its President to forward this resolution to the Council and the Commission.

(1) OJ L 23, 27.1.2010, p. 35.

(2) CRPD/C/EU/CO/1.

(3) CRPD/C/EU/Q/1.

(4) A/RES/64/142.

(5) OJ L 347, 20.12.2013, p. 320.

(6) OJ L 303, 2.12.2000, p. 16.

(7) Texts adopted, P8_TA(2016)0059.

(8) Texts adopted, P8_TA(2015)0321.

(9) Texts adopted, P8_TA(2015)0320.

(10) Texts adopted, P8_TA(2015)0286.

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(11) Texts adopted, P8_TA(2015)0261.

(12) Texts adopted, P8_TA(2015)0208.

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(13) OJ C 75, 26.2.2016, p. 130.

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(14 OJ C 131 E, 8.5.2013, p. 9.

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(15 OJ C 212 E, 5.8.2010, p. 23.

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(16 CJEU, Joined Cases C-335/11 and C-337/11 HK Danmark , 11 April 2013,

) paragraphs 29-30; CJEU, Case C-363/12 Z , 18 March 2014, paragraph 73;

CJEU, Case C-356/12 Glatzel , 22 May 2014, paragraph 68.

(17 FRA report: Violence against children with disabilities: legislation, policies and

) programmes in the EU ([http://fra.europa.eu/sites/default/files/fra_uploads/fra-](http://fra.europa.eu/sites/default/files/fra_uploads/fra-2015-violence-against-children-with-disabilities_en.pdf)

[2015-violence-against-children-with-disabilities_en.pdf](http://fra.europa.eu/sites/default/files/fra_uploads/fra-2015-violence-against-children-with-disabilities_en.pdf))

(18 FRA report, Violence against women: an EU-wide survey. Main results:

) [http://fra.europa.eu/sites/default/files/fra-2014-vaw-survey-main-results-](http://fra.europa.eu/sites/default/files/fra-2014-vaw-survey-main-results-apr14_en.pdf)

[apr14_en.pdf](http://fra.europa.eu/sites/default/files/fra-2014-vaw-survey-main-results-apr14_en.pdf)

(19 Van Straaten et al. (2015). Self-reported care needs of Dutch homeless people

) with and without a suspected intellectual disability: a 1.5-year follow-up study.

In: Health Soc Care Community, 2015 October 1. Epub 2015 October 1.

(20 EU-SILC 2012.

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(21 OJ C 56 E, 26.2.2013, p. 41.

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(22 [COM\(2015\)0615](#).

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(23 OJ C 45 E, 23.2.2010, p. 71.

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