



The voice of blind and partially sighted people in Europe

# EU Disability Rights Strategy 2021-2030: **A Sound and Comprehensive Framework for Action but Less Ambitious than Expected**

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## Background

On 3 March 2021 the European Commission published its **Strategy for the Rights of Persons with Disabilities 2021-2030** (hereafter 'the Strategy'). In this [document](#), the Commission outlines proposals and areas of work aiming at improving the living conditions of 100 million persons with disabilities through the implementation of the United Nations Convention on the Rights of Persons with Disabilities (CRPD).

The Strategy aims to guide the action of EU institutions as well as of Member States, building on the achievements under the previous ten-year strategy and offering solutions to the challenges ahead. The new strategy will help to deliver on President von der Leyen's priorities of building a Union of Equality and delivering on the European Pillar of Social Rights.

The creation of **the role of Commissioner for Equality** was instrumental in making this new Strategy a reality, after a process of **extensive consultations** with disabled persons' organisations throughout 2020. For this the European Blind Union (EBU) is very appreciative: the motto "nothing about us without us" has been translated well into reality on this occasion and this largely reflects in the Strategy.

## Analysis

Compared to the previous 10-year strategy, the new branding of the Strategy as 'for the **rights** of persons with disabilities' is significant. It expresses the intention to achieve progress on all areas of the CRPD, both at EU and Member States level, recalling the recommendations of the UN Committee on the Rights of Persons with Disabilities to the EU in 2015. It also aims to ensure the effective equal enjoyment of EU rights for citizens with disabilities.

Priorities are clearly marked in the form of **a variety of actions**. Some are very concrete, with a clear timeframe; others are more aspirational and will need to be further elaborated. Our analysis here will be looking more particularly at the **seven so-called 'flagship initiatives'** – see a [summary](#) of these further below. The Strategy is structured around **eight thematic chapters**, which will also guide our analysis below.

### **Accessibility – an enabler of rights, autonomy and equality**

The announced European resource centre "**AccessibleEU**", to increase coherence in accessibility policies, share good practices and develop tools and standards to facilitate implementation of EU law, is a step in the right direction in follow-up of the European Accessibility Act adopted under the previous 10-year strategy. We would have preferred a proper EU agency on accessibility with powers to monitor how EU accessibility legislation is being implemented throughout the EU, but we appreciate that coordination is possibly the maximum that the EU can offer in this respect and that implementation is after all primarily the responsibility of the Member States. Nevertheless, we urge the Commission to gear AccessibleEU as much as possible toward the US-type of 'Access Board' the organisations representing persons with disabilities in Europe had in mind.

Digital aspects are increasingly important for autonomy, and it is good that the Commission will evaluate in 2022 the implementation of the **Web Accessibility Directive** and assess whether it should be revised to address any gaps identified. Other significant actions announced are, in 2021, a reinforced EU **digital government strategy** and, by 2023, the identification of the need for further action in the examination of the functioning of the **internal market for assistive technologies**.

This being said, when we welcomed the Accessibility Act as a major step-stone, we regretted that it was mostly about the digital world and we asked the EU not to shy away from addressing perhaps more difficult matters of the real, **non-digital world**, such as the built environment, household appliances and – only very partially addressed in the Accessibility Act – public urban transport. In this respect, we welcome the revision in 2021 of the **Urban Mobility Package** to strengthen the requirements for Member States to adopt local mobility plans taking into consideration needs of persons with disabilities. And we also welcome the announced guidance to Member States, in 2021, to support implementation of accessibility obligations under the **public procurement** directives, and the promotion of training for public procurers to buy accessible; indeed public procurement provides good leverage to promote good practices. Instead, the announced revision of the legislative framework related to the **energy performance of buildings** (i.e. its impact on accessibility improvements as a result of renovation requirements) does not appear to be quite up to the challenge as far as making progress on the built environment is concerned.

### **Enjoying EU rights**

It is excellent news that, as we had called for as a matter of ensuring the effective free movement in the EU of persons with disabilities, the Commission will, by the end of 2023, propose an EU-wide **Disability Card**, as an instrument of mutual recognition of the disability status. Indeed, we believe that the pragmatic way forward is not to try and harmonise the different disability assessment systems within the EU, but rather, as is the approach in the area of social security, to coordinate in the respect of the diverse legislations. We also believe that it makes perfect sense to build, not only on the experience of the ongoing pilot project in eight Member States, but also on the European parking card for persons with disabilities, which is entirely relevant here. In fact, the scope of the mutual recognition of the disability status needs be extended, and it is important to clarify to what extent this should happen in order to make the Card a meaningful instrument to respond to the needs of citizens with disabilities.

The Commission announces different actions under the European Democracy Action Plan to guarantee political participation of persons with disabilities, namely a guide of good electoral practice to ensure political rights of persons with disabilities in 2023.

Regarding **electoral rights**, it is often argued that this is an area where the EU has limited competence; but it does have some competence in as far as the Treaties define some electoral rights of EU citizens. Bearing in mind the spill-over effect that European elections would inevitably have on national, regional or local elections across the EU, we regret that there is no mention of the urgent need to amend the European Electoral Act of 1976 to guarantee a real right to vote in European Parliament elections to all persons with disabilities, despite the urgent call of the Economic and Social Committee of the EU in December 2020. European elections should set a standard on accessible voting, i.e. accessibility of the vote itself (voting procedures), of electoral information (election campaign facilities and materials, political debates, political party manifestos and websites) and of post-election procedures (e.g. complaint mechanisms), as well as equality in the right to stand as a candidate. Moreover, we urge the Commission to act earlier than 2023 in order to achieve some visible progress already by the European elections of 2024. In general, we feel that on political participation the Strategy is too generic and less ambitious, as clearly shown by the lack of a flagship initiative in this area.

### **Decent quality of life and living independently**

We welcome the two flagship initiatives announced by the Commission, respectively by 2023 and by 2024:

- guidance recommending to Member States improvements on **independent living and inclusion** in the community, in order to enable persons with disabilities to live in accessible, supported housing in the community, or to continue living at home (including personal assistance schemes); and
- a framework for **Social Services** of Excellence for persons with disabilities.

A number of other actions, addressed through other strategies, are also referred to in this area, which all go in the right direction. We particularly note the **Digital Education** Action Plan 2021-2027, in which Member States will be supported in securing assistive technologies and in providing an accessible digital learning environment and content, and the reinforced **Youth** Guarantee to support the outreach to and activation of young persons with disabilities.

We have often stressed that **access to the labour market** is key to social inclusion for persons with disabilities. We therefore salute the Commission's announced package in 2022, in which it will seek cooperation with the European Network of Public Employment Services, social partners and organisations of persons with disabilities. Also, the publication in 2021 of an implementation report on the EU Employment Equality Directive, to be followed if appropriate with a legal proposal, articulates well with the recently adopted European Parliament resolution on the implementation of the Employment Equality Directive in line with the UNCRPD. We believe that, already today, the need to strengthen the role of equality bodies is clear to see.

### **Equal access and non-discrimination**

While it is good that the Commission again calls on Member States to unblock the proposal for a horizontal directive on implementing the **non-discrimination** principle of equal treatment outside the field of employment, we regret that an alternative plan is not put forward. The announced actions to address discrimination in key areas, such as justice, protection against violence, social protection, healthcare, education, housing, culture, sport and tourism is possibly the alternative, but the Strategy is too 'impressionistic' in this respect and we observe that still too often persons with disabilities are addressed through the prism of 'vulnerable persons' – namely with regard to equal access to justice.

Regarding health, we appreciate the recognition of the dreadful situation faced by persons with disabilities due to the **Covid-19** pandemic, which sadly illustrates how persons with disabilities still often fall out of the radar.

Regarding making **culture** accessible and disability inclusive, we take good note of the announced effort to use the leverage of EU funding such as the Creative Europe Programme – which is already a commitment in the Creative Europe Regulation for 2021-2027 – and of the assess of the availability of printed works for persons with disabilities following the Marrakesh Treaty Directive.

### **Promoting the rights of persons with disabilities globally**

We salute the attention given in the Strategy to making the EU use its influence – including its financial weight – in international and

multilateral relations, to promote the rights of persons with disabilities.

### **Efficiently delivering the strategy**

To support the implementation of this Strategy as well as – interestingly – consistent national disability strategies, the Commission announces the establishment in 2021 of a **Disability Platform**, to replace the existing High Level Group on Disability. This platform, which will also have an online presence, will bring together national UNCRPD focal points, the Commission and organisations of persons with disabilities and hopefully give the latter more room for full participation than is currently the case in the High Level Group. EU institutions and bodies, agencies and delegations are called to designate **disability coordinators** for their institutions so as to ensure an adequate mainstreaming of the CRPD and interinstitutional coordination. Besides, the Strategy includes regular high-level meetings between the European Parliament, the Council, the Commission and the EEAS, involving representative organisations of persons with disabilities, as well as an annual exchange of views with the European Economic and Social Committee and the Committee of Regions.

Although a positive development in itself, all this falls short of establishing a strong CRPD focal point with the necessary resources and influence to ensure coordination of the CRPD at the EU level, including in the European Parliament and in the Council, as was recommended by the European Parliament in its resolution of 18 June 2020. The next quarter ahead of the EU Council conclusions on the EU Disability Rights Strategy, under Portuguese Presidency, will be crucial to better describe the monitoring framework.

### **Leading by example**

We have often pointed out that the EU has to practice what it recommends to Member States, and we are therefore glad that the Strategy contains a chapter on “Leading by example”. This includes a renewed **HR strategy** with actions to promote diversity and inclusion of persons with disabilities. We call on the Commission to consider the possibility of introducing quotas for applicants with disabilities in open competitions organised by EPSO, and to ensure that persons with disabilities are also represented in high-level positions in the Commission thanks to the attention of its new ‘Diversity and Inclusion Office’. For our part, we intend to respond

positively to EPSO's recent call for cooperation to EU disability organisations by joining their network of diversity & inclusion organisations in order to help promote EU careers amongst our members.

The efforts on exemplarity also include a scaling up of its efforts to make the buildings and the communication of the EU Institution fully accessible. We particularly welcome, among other initiatives, the announced Action Plan in 2021 on web accessibility to cover all EU institutions, bodies and agencies; indeed, we have repeatedly called on EU bodies to align with the obligations resting on Member States in the Web Accessibility Directive.

### **Awareness, governance and measuring progress**

For years we have argued that there was a lack of reliable and useful disaggregated statistical data at EU level on disability to allow sufficiently informed policy-making and monitoring, and we like to see the acknowledgement in the Strategy of the insufficiencies of the existing Eurostat data collection, in scope as well as in frequency. We can only applaud that, by 2023, the Commission will develop new **disability indicators** with a clear roadmap for implementation, to feed into the EU Social Scoreboard and the European Sustainable Development Goals policy. We also welcome that the Commission will develop a strategy for improved **statistical data collection** on the situation of persons with disabilities and steer Member States accordingly. We renew here our recommendation to use the set of questions elaborated by the United Nations Washington Group on Disability Statistics, which brings together representatives from national statistical offices, development agencies, NGOs and DPOs from across the world to discuss ways to improve data collection on persons with disability.

## **Conclusion**

The Strategy provides a sound and comprehensive framework of action for the incoming decade, although we regret that in some important areas it is insufficiently ambitious. In any case, on many points and in particular on matters of governance and monitoring, it remains to be detailed and explicated.

EBU welcomes the Commission's commitment to involve organisations of persons with disabilities in the Strategy's

implementation. The Disability Platform will be instrumental in this respect and we look forward to the European Council conclusions of June 2021 to get a better view of what the framework for the dialogue is going to be.

We intend to play our full active part in supporting the implementation of the Strategy, at EU and at national level, building on the involvement of the EBU's Commission for Liaising with the EU, which gathers representatives of all of our member organisations in the EU

## Summary of the flagship initiatives

- In 2021, set up a **Disability Platform** to replace the existing High-Level Group on Disability, with the aim to support the implementation of the Strategy as well as national disability strategies. It will bring together national CRPD focal points, organisations of persons with disabilities and the Commission to exchange on the UN's assessments of Member States' implementation of the CRPD, and it will also have an online presence.
- In 2022, propose a **package to improve labour market outcomes of persons with disabilities**, to support Member States in the implementation of the relevant Employment Guidelines through the European Semester. It will provide guidance and support mutual learning on strengthening capacities of employment and integration services, promoting hiring perspectives, ensuring reasonable accommodation, securing health and safety at work and vocational rehabilitation schemes in case of chronic diseases or accidents, exploring quality jobs in sheltered employment, and pathways to the open labour market.
- In 2022, launch a European resource centre '**AccessibleEU**', to increase coherence in accessibility policies and facilitate access to relevant knowledge. It will bring together national authorities responsible for implementing and enforcing accessibility rules and experts and professionals from all areas of accessibility, to share good practices across sectors and develop tools and standards aiming to facilitate implementation of EU law.



- By 2023, provide **guidance to Member States for improvements on independent living and inclusion in the community**.
- By end of 2023, propose the creation of a **European Disability Card** to be recognised in all Member States. It will build on the experience of the ongoing EU Disability Card pilot project and upon the European parking card for persons with disabilities.
- By 2024, put in place a **framework for Social Services of Excellence for persons with disabilities**, to improve service delivery for persons with disabilities and to enhance the attractiveness of jobs in this area including through upskilling and reskilling of service providers.
- Ongoing: deliver a **renewed human resources strategy**, including actions to promote diversity and inclusion of persons with disabilities. EPSO will be invited to complement these efforts in collaboration with other recruiting EU institutions.

## About EBU

The European Blind Union (EBU) – **Interest Representative Register number 42378755934-87** – is a non-governmental, non-profit making European organisation founded in 1984. It is one of the six regional bodies of the World Blind Union, and it promotes the interests of blind and partially sighted people in Europe. It currently operates within a network of 41 national members including organisations from 25 European Union member states, candidate countries and other countries in geographical Europe.

### European Blind Union

6 rue Gager-Gabillot - 75015 Paris

+33 1 88 61 06 60 | [ebu@euroblind.org](mailto:ebu@euroblind.org) | [www.euroblind.org](http://www.euroblind.org)

#### Contact:

Antoine Fobe, Advocacy & Campaigning, EBU

[ebucampaigning@euroblind.org](mailto:ebucampaigning@euroblind.org) | +33 1 88 61 06 64