Procedure file

Basic information

INI - Own-initiative procedure	2020/2209(INI)	Procedure completed
The protection of persons with disabilities through petitions: lessons learnt Subject 4.10.06 People with disabilities		

Key players

European Parliament	Committee responsible	Rapporteur	Appointed
	PETI Petitions		23/09/2020
		S&D AGIUS SALIBA Alex	
		Shadow rapporteur	
		epp KYMPOUROPOULOS Stelios	
		renew europe. TOOM Jana	
		ŽDANOKA Tatjana	
		ZAMBELLI Stefania	
		ECR CZARNECKI Ryszard	
	Committee for opinion	Rapporteur for opinion	Appointed
	EMPL Employment and Social Affairs (Associated committee)		01/07/2020
		epp KANEV Radan	
	LIBE Civil Liberties, Justice and Home Affairs (Associated committee)		30/11/2020
		VANDENDRIESSCHE Tom	
	FEMM Women?s Rights and Gender Equality		05/02/2021
		renew europe. RAFAELA Samira	
European Commission	Commission DG	Commissioner	
	Justice and Consumers	DALLI Helena	

Key events

22/10/2020	Committee referral announced in Parliament		
22/10/2020	Referral to associated committees announced in Parliament		
15/07/2021	Vote in committee		
04/08/2021	Committee report tabled for plenary	A9-0261/2021	Summary
04/10/2021	Debate in Parliament		
06/10/2021	Results of vote in Parliament		
07/10/2021	Decision by Parliament	T9-0414/2021	Summary

Technical information

Procedure reference	2020/2209(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 57; Rules of Procedure EP 54
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	PETI/9/04328

Documentation gateway

Committee draft report		PE660.308	17/03/2021	EP	
Amendments tabled in committee		PE692.629	28/04/2021	EP	
Specific opinion	FEMM	PE691.085	26/05/2021	EP	
Committee opinion	LIBE	PE691.182	18/06/2021	EP	
Committee opinion	EMPL	PE691.289	02/07/2021	EP	
Committee report tabled for plenary, single reading		A9-0261/2021	04/08/2021	EP	Summary
Text adopted by Parliament, single reading		T9-0414/2021	07/10/2021	EP	Summary
Commission response to text adopted in plenary		SP(2021)735	02/02/2022	EC	

The protection of persons with disabilities through petitions: lessons learnt

The Committee on Petitions adopted an own-initiative report by Alex AGIUS SALIBA (S&D, MT) on the protection of people with disabilities, through petitions: lessons learnt.

There are currently around 87 million people with disabilities in the EU. Just over ten years ago, the European Union acceded to the United Nations Convention on the Rights of Persons with Disabilities (CRPD), and the Convention entered into force in the EU on 23 January 2011.

Through its petition procedure, Parliament's Petitions Committee has a direct role to play in protecting the rights of people with disabilities in the EU. Petitions received by Parliament demonstrate the barriers faced by people with disabilities in various areas, such as access to public transport and the built environment, the use of sign languages, funding or access to education.

Given the petitions received on disability issues, the main findings of the report are as follows:

Governance and implementation

The report highlighted the need to raise awareness at all levels of the rights of people with disabilities enshrined in the CRPD to protect their rights and dignity, and to promote the exchange of good practice between Member States. It encouraged the consultation and participation of disabled people's organisations at every stage leading to the adoption of measures, so that these measures do not undermine the fundamental rights of disabled people.

Members called on all Member States that have not yet ratified the Optional Protocol to the CRPD to do so without further delay, to designate responsible authorities to act as contact points and to establish coordination mechanisms at all administrative levels for its implementation and monitoring.

The Commission is invited to present a comprehensive and cross-cutting review of EU legislation and funding programmes to ensure full compliance with the CRPD.

Free movement

Members welcomed the Commission's plan to present, by the end of 2023, a proposal for a European disability card recognised in all Member States. Such a card should be compulsory in all Member States to enable people with disabilities to exercise their right to free movement in a barrier-free Europe. The report warmly welcomed the adoption of enhanced rail passenger rights for people with disabilities and reduced mobility. It encouraged Member States to provide, as soon as possible, shorter pre-notification periods for disabled people who need assistance when travelling.

Accessibility

Members called on the Commission and the Member States to ensure that cognitive, sensory and physical accessibility of EU initiatives on the digitalisation of the labour market.

They called on the Commission to use the EU accessibility legislation to adopt a robust European framework for an accessible and inclusive environment with fully accessible public places and services, including financial and administrative services, public transport and communication services and the built environment. Full accessibility must be guaranteed in all European public places.

Combating discrimination

The report highlighted the Commission's objective to cooperate with Member States to widen the scope of mutual recognition of disability status in areas such as labour mobility or social benefits related to the conditions of service provision.

Pointing out that minors with mental or intellectual disabilities are 3.7 times more likely to be victims of all forms of violence than non-disabled children, Members called for the creation of a European framework for the protection of persons with disabilities from any sort of violence. The report encouraged the Commission to work with the European Court of Justice to develop communication and accessibility strategies to ensure that people with disabilities are able to access the EU justice system without suffering any form of discrimination.

Concerned about the high unemployment rates among people with disabilities, Members called on Member States to promote and ensure a legislative and policy framework for the participation of people with disabilities, and in particular women with disabilities, in the labour market.

Public procurement

The report recalled that public procurement should respect the fundamental rights of beneficiaries. It is stressed that Member States are obliged to comply with the GDPR when implementing public procurement legislation.

Inclusive education

Inclusive education policies implemented in Member States are welcomed, however, the report called on Member States to further increase their education systems capacity to provide high-quality and accessible education to all learners by promoting specific measures and personalised support, such as accessible and tailored curricula and learning materials, accessible ICTs and appropriate digital education.

The Commission is invited to strengthen the role of the Child Guarantee by considering an award scheme for the most accessible schools, to ensure equal treatment of children with disabilities.

The protection of persons with disabilities through petitions: lessons learnt

The European Parliament adopted by 579 votes to 12, with 92 abstentions, a resolution on the protection of people with disabilities, through petitions: lessons learnt.

There are currently around 87 million people with disabilities in the EU. Approximately 1 % of all petitions received each year by the Committee on Petitions relate to various disability issues. Petitions received by Parliament demonstrate the barriers faced by people with disabilities in various areas, such as access to public transport and the built environment, the use of sign languages, funding or access to education.

Given the petitions received on disability issues, the main findings of the report are as follows:

Governance and implementation

The resolution highlighted the need to raise awareness at all levels of the rights of people with disabilities enshrined in the UN Convention on the Rights of Persons with Disabilities (CRPD) to protect their rights and dignity, and to promote the exchange of good practice between Member States. It encouraged the consultation and participation of disabled people's organisations at every stage leading to the adoption of measures, so that these measures do not undermine the fundamental rights of disabled people.

Parliament called on all Member States that have not yet ratified the Optional Protocol to the CRPD to do so without further delay, to designate responsible authorities to act as contact points and to establish coordination mechanisms at all administrative levels for its implementation and monitoring.

The Commission is invited to present a comprehensive and cross-cutting review of EU legislation and funding programmes to ensure full

compliance with the CRPD.

Free movement

The resolution welcomed the Commission's plan to present, by the end of 2023, a proposal for a European disability card recognised in all Member States. Such a card should be compulsory in all Member States to enable people with disabilities to exercise their right to free movement in a barrier-free Europe. Parliament warmly welcomed the adoption of enhanced rail passenger rights for people with disabilities and reduced mobility.

Digitalisation

The COVID-19 pandemic has shown that the entire population should be able to benefit from digital transformation, without any discrimination or exclusion. Parliament stressed the development of necessary digital skills and knowledge of AI can provide a labour market foothold for vulnerable groups such as persons with disabilities. Member States are urged to develop programmes which aim to include persons with disabilities in society through sport, the arts, culture and leisure activities, and which promote their participation in the political process without any constraints.

Accessibility

Parliament called on the Commission to use the EU accessibility legislation to adopt a robust European framework for an accessible and inclusive environment with fully accessible public places and services. Full accessibility must be guaranteed in all European public places. Parliament called for concrete measures, such as public bodies providing information in sign language, braille and easy-to-read text. Sign language interpretation should be introduced for speech-based events.

Combating discrimination

Parliament pointed out that the EU needs to focus more on combatting violence (including gender-based violence) and harassment, of which people with disabilities are disproportionately the victim, and to close the employment gap between people with a disability and others. Parliament also called on the Council to move forward with a cross-cutting Anti-Discrimination Directive, currently stuck there.

Inclusive education and training

Inclusive education policies implemented in Member States are welcomed, however, the resolution called on Member States to further increase their education systems capacity to provide high-quality and accessible education to all learners by promoting specific measures and personalised support, such as accessible and tailored curricula and learning materials, accessible ICTs and appropriate digital education.

The Commission is invited to strengthen the role of the Child Guarantee by considering an award scheme for the most accessible schools, to ensure equal treatment of children with disabilities.

Lastly, Parliament called on the Commission and the Member States to invest in training professionals regarding the needs of persons with disabilities.