

# Procedure file

Basic information			
INI - Own-initiative procedure	2022/2026(INI)	Procedure completed	
Towards equal rights for people with disabilities			
Subject 4.10.06 People with disabilities			
Key players			
European Parliament	Committee responsible  <a href="#">Civil Liberties, Justice and Home Affairs</a>	Rapporteur  <a href="#">PELLETIER Anne-Sophie</a> Shadow rapporteur  <a href="#">SKYTTEDAL Sara</a>	Appointed 31/01/2022
			 <a href="#">CHINNICI Caterina</a>
			 <a href="#">AL-SAHLANI Abir</a>
			 <a href="#">SPUREK Sylwia</a>
			 <a href="#">VANDENDRIESSCHE Tom</a>
			 <a href="#">BRUDZIŃSKI Joachim Stanisław</a>
Committee for opinion			
 <a href="#">Employment and Social Affairs</a> (Associated committee)			Rapporteur for opinion Appointed 16/02/2022
			 <a href="#">CAÑAS Jordi</a>
 <a href="#">Culture and Education</a>			Chair on behalf of committee 26/01/2022
			 <a href="#">VERHEYEN Sabine</a>
 <a href="#">Petitions</a> (Associated committee)			22/03/2022
			 <a href="#">MÜLLER Ulrike</a>
European Commission	Commission DG	Commissioner	

## Key events

10/03/2022	Committee referral announced in Parliament		
10/03/2022	Referral to associated committees announced in Parliament		
17/11/2022	Vote in committee		
30/11/2022	Committee report tabled for plenary	<a href="#">A9-0284/2022</a>	Summary
12/12/2022	Debate in Parliament		
13/12/2022	Results of vote in Parliament		
13/12/2022	Decision by Parliament	<a href="#">T9-0435/2022</a>	Summary

## Technical information

Procedure reference	2022/2026(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	LIBE/9/08492

## Documentation gateway

Specific opinion		<a href="#">PE731.519</a>	18/05/2022	EP	
Committee draft report		<a href="#">PE734.200</a>	27/06/2022	EP	
Committee opinion		<a href="#">PE731.494</a>	13/07/2022	EP	
Amendments tabled in committee		<a href="#">PE736.370</a>	07/09/2022	EP	
Committee opinion		<a href="#">PE732.573</a>	24/10/2022	EP	
Committee report tabled for plenary, single reading		<a href="#">A9-0284/2022</a>	30/11/2022	EP	Summary
Text adopted by Parliament, single reading		<a href="#">T9-0435/2022</a>	13/12/2022	EP	Summary
Commission response to text adopted in plenary		<a href="#">SP(2023)79</a>	22/03/2023	EC	

## Towards equal rights for people with disabilities

The Committee on Civil Liberties, Justice and Home Affairs adopted the own-initiative report by Anne-Sophie PELLETIER (GUE/NGL, FR) entitled Towards equal rights for persons with disabilities.

According to the available data, there are approximately 87 million persons having some form of disability in the EU, including over 24 million persons with severe disabilities. More than 1 million children and adults with disabilities below the age of 65 and more than 2 million adults aged 65 and older live in institutions.

Living independently and being included in the community

Members recalled, as laid down in Article 19 of the UN Convention on the Rights of Persons with Disabilities (CRPD), that persons with disabilities have the right to live independently and receive appropriate community-based services. This right can only be fully guaranteed if policies and legislation that offer alternatives to institutions are developed at national, regional and local levels, and are guided by European standards. The EU is called on to mainstream a disability perspective in all its policies, programmes and strategies.

In this regard, the Commission and the Member States are called on to phase out institutional care settings for persons with disabilities as soon as possible and to bring about a shift from institutional and other segregated settings to a system enabling social participation. Stereotypes, ableism and misconceptions that prevent persons with disabilities from living independently must be eradicated and their contributions to society must be promoted. Moreover, access to the labour market is essential to enable persons with disabilities to live an independent life and participate fully in society.

#### Equal recognition before the law

The report considered that urgent measures should be taken to abolish the restrictions on legal capacity that hinder the rights of persons with disabilities enshrined in the Treaties. Member States should implement dedicated programmes that will allow for a shift from depriving persons with psychosocial disabilities of their legal capacity towards supported decision-making schemes.

Members urged the Commission and the Member States to involve persons with disabilities in all their diversity and of all backgrounds in EU decision-making and considered that leadership persons with disabilities should be further promoted through greater investment in organisations of persons with disabilities in order to facilitate their meaningful participation and increase their influence in decision-making.

#### EU Disability Card

Members strongly believe that the EU Disability Card should be based on binding an EU legislative act that should cover a range of different areas beyond culture, leisure and sport. The Disability Card should also, by default, be usable for national, regional and local public services such as transport, have a dedicated EU website and accessible online database available in all EU languages.

#### Educational and healthcare

Members called on the Commission and the Member States to take measures to facilitate access to and the enjoyment of inclusive, quality education for all learners with disabilities, including e-learning and lifelong learning. They emphasised the importance of ensuring equal access to education in classrooms for pupils and students, including early childhood education, regardless of whether they have a disability.

Members also deplored the lack of investment by some Member States in facilities for persons with disabilities who need specific treatment by specialists, in some cases forcing these persons, especially young people of school age, to leave their families in order to access suitable facilities in other Member States.

The Commission and the Member States are urged to take swift action to ensure that persons with disabilities, including psychosocial disabilities, are provided with the same range, quality and standards of free or affordable healthcare and programmes that are provided to other persons, including access to sexual and reproductive health services.

The report called on the Member States to include in their relevant EU funds the improvement of neuropsychiatric services for children and young people, who suffered most as a result of the measures adopted during the pandemic, which led to increased social hardship, poverty and psychological suffering, with dramatic consequences.

#### Promoting inclusive employment

Members encourage the Commission and the Member States to:

- take effective and concrete measures to promote equality, diversity and horizontal inclusion for persons with disabilities and their families in all parts of society;
- fully implement and mainstream the UN Convention on the Rights of Persons with Disabilities (CRPD) across all legislative, policy and funding measures, in particular as regards persons with disabilities social and labour market inclusion;
- assess the key trends for the future of work from a disability perspective to identify and launch specific actions to make the labour market more inclusive and reduce the digital divide.

Lastly, the committee called on the Commission to develop and promote a European legal framework for inclusive enterprises with the aim of creating permanent employment for people with disabilities.

## Towards equal rights for people with disabilities

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The European Parliament adopted by 526 votes to 10, with 83 abstentions, a resolution entitled Towards equal rights for persons with disabilities.

According to the available data, there are approximately 87 million persons having some form of disability in the EU, including over 24 million persons with severe disabilities. More than 1 million children and adults with disabilities below the age of 65 and more than 2 million adults aged 65 and older live in institutions. 50.8 % of persons with disabilities are in employment, as compared to 75 % without disabilities.

#### Living independently and being included in the community

Members recalled, as laid down in Article 19 of the UN Convention on the Rights of Persons with Disabilities (CRPD), that persons with disabilities have the right to live independently and receive appropriate community-based services. This right can only be fully guaranteed if policies and legislation that offer alternatives to institutions are developed at national, regional and local levels, and are guided by European standards.

In this regard, the Commission and the Member States are called on to phase out institutional care settings for persons with disabilities as soon as possible and to bring about a shift from institutional and other segregated settings to a system enabling social participation.

Stereotypes, ableism and misconceptions that prevent persons with disabilities from living independently must be eradicated and their contributions to society must be promoted. Moreover, access to the labour market is essential to enable persons with disabilities to live an independent life and participate fully in society.

Member States are invited to include specific targets with a defined time frame in their deinstitutionalisation strategies and adequately finance them. The relevant EU funds should aim to promote inclusive, accessible environments, services, practices and devices, following a universal design approach and favouring deinstitutionalisation.

#### Equality and non-discrimination: urgent need for a horizontal anti-discrimination directive

Members believe that the EU should mainstream a disability perspective into all its policies, programmes and strategies. They called on the Commission to update the proposed EU directive on equal treatment, based on Parliament's position, by also tackling intersectional discrimination and explicitly prohibiting all discrimination. The Council Presidency should prioritise this directive and discuss it at the highest political level. The resolution stressed the need for concrete measures to promote the adoption of the directive and, if not adopted, alternative legislative measures to combat discrimination.

Parliament also denounced the fact that some people with disabilities are more likely to be victims of some form of discrimination and violence, including women and girls, children, the elderly, the homeless, prisoners, migrants and refugees, racialised persons and people from ethnic background such as the Roma, as well as LGBTIQ+ people. The Commission and the Member States are invited to address the specific issues of these people.

#### Equal recognition before the law

Parliament considered that urgent measures should be taken to abolish the restrictions on legal capacity that hinder the rights of persons with disabilities enshrined in the Treaties. Member States should implement dedicated programmes that will allow for a shift from depriving persons with psychosocial disabilities of their legal capacity towards supported decision-making schemes.

Members urged the Commission and the Member States to involve persons with disabilities in all their diversity and of all backgrounds in EU decision-making and considered that leadership persons with disabilities should be further promoted through greater investment in organisations of persons with disabilities in order to facilitate their meaningful participation and increase their influence in decision-making.

#### EU Disability Card

Members called on the Commission to speed up its work to ensure recognition of the status of disabled people when travelling in the EU and to guarantee the free movement of disabled people in all Member States. They strongly believe that the EU Disability Card should be based on binding an EU legislative act that should cover a range of different areas beyond culture, leisure and sport. The Disability Card should also, by default, be usable for national, regional and local public services such as transport, have a dedicated EU website and accessible online database available in all EU languages.

#### Educational and healthcare

Members called on the Commission and the Member States to take measures to facilitate access to and the enjoyment of inclusive, quality education for all learners with disabilities, including e-learning and lifelong learning. They emphasised the importance of ensuring equal access to education in classrooms for pupils and students, including early childhood education, regardless of whether they have a disability.

The Commission and the Member States are urged to take swift action to ensure that persons with disabilities, including psychosocial disabilities, are provided with the same range, quality and standards of free or affordable healthcare and programmes that are provided to other persons, including access to sexual and reproductive health services.

#### Promoting inclusive employment

Persons with disabilities integration into the labour market is not only essential for social inclusion and equal opportunities, but also offers significant economic opportunities for persons with disabilities financial independence and benefits the wider economy.

Parliament asked the European Labour Authority to work with national labour inspectorates to ensure that existing legislation is implemented. It recommended that labour inspectors monitor public and private sector employers to ensure that the employment rights of people with disabilities are respected.

The Commission is invited to (i) start as soon as possible the revision of the Employment Equality Directive, in particular with regard to harmonised minimum standards for reasonable accommodation for workers with disabilities, (ii) ensure that Member States respect the principles of equal treatment and equal pay for work of equal value between all workers.

Lastly, the Commission is called on to develop and promote a European legal framework for inclusive enterprises with the aim of creating permanent employment for people with disabilities.