

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	2023/0393(COD) Awaiting Council's 1st reading position
European Disability Card and European Parking Card for persons with disabilities: extending to third country nationals legally residing in a Member State	
Subject 4.10.06 People with disabilities	

Key players			
European Parliament	Joint Committee Responsible	Rapporteur	Appointed
	 Employment and Social Affairs		18/12/2023
	Civil Liberties, Justice and Home Affairs	 MANDERS Antonius	18/12/2023
		 KUNKE Alice	
		Shadow rapporteur	
		 OCHOJSKA Janina	
		 ENGERER Cyrus	
		 RASMUSSEN Bergur Løkke	
		 ĐURIŠ NICHOLSONOVÁ Lucia	
		 LANGENSIEPEN Katrin	
	 RAFALSKA Elżbieta		
	 WIŚNIEWSKA Jadwiga		
	 LIZZI Elena		
	 GUSMÃO José		
	 PELLETIER Anne-Sophie		
	 Employment and Social Affairs		
	Civil Liberties, Justice and Home Affairs		

Key events

31/10/2023	Legislative proposal published	COM(2023)0698	Summary
18/01/2024	Committee referral announced in Parliament, 1st reading		
18/01/2024	Referral to joint committee announced in Parliament		
22/02/2024	Vote in committee, 1st reading		
22/02/2024	Committee decision to open interinstitutional negotiations with report adopted in committee		
26/02/2024	Committee report tabled for plenary, 1st reading	A9-0059/2024	Summary
26/02/2024	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
27/02/2024	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71)		
19/03/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE759.957 GEDA/A/(2024)001523	
23/04/2024	Debate in Parliament		
24/04/2024	Decision by Parliament, 1st reading	T9-0340/2024	Summary

Technical information

Procedure reference	2023/0393(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	Rules of Procedure EP 59; Treaty on the Functioning of the EU TFEU 079-p2
Stage reached in procedure	Awaiting Council's 1st reading position
Committee dossier	CJ47/9/13996

Documentation gateway

Legislative proposal	COM(2023)0698	31/10/2023	EC	Summary
Committee draft report	PE758.218	29/01/2024	EP	
Committee of the Regions: opinion	CDR4646/2023	31/01/2024	CofR	

Amendments tabled in committee		PE758.883	06/02/2024	EP	
Committee report tabled for plenary, 1st reading/single reading		A9-0059/2024	26/02/2024	EP	Summary
Coreper letter confirming interinstitutional agreement		GEDA/A/(2024)001523	15/03/2024	CSL	
Text adopted by Parliament, 1st reading/single reading		T9-0340/2024	24/04/2024	EP	Summary

European Disability Card and European Parking Card for persons with disabilities: extending to third country nationals legally residing in a Member State

PURPOSE: to extend the scope of the proposal for a Directive establishing the European Disability Card and the European Parking Card for persons with disabilities to third country nationals.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: as a reminder, the Commission adopted a [proposal](#) for a Directive establishing the European Disability Card and the European Parking Card for persons with disabilities on 6 September 2023. That proposal establishes the framework, rules and common conditions for those cards for persons with disabilities when travelling to or visiting another Member State for a short period. It includes a common standardised model for a European Disability Card as proof of recognised disability status and for a European Parking Card for persons with disabilities as proof of their recognised right to parking conditions and facilities reserved for persons with disabilities.

When adopting the proposal for a Directive establishing the European Disability Card and the European Parking Card for persons with disabilities, and in view of guaranteeing equal treatment of third country nationals with EU citizens, the Commission expressed its intention to put forward a separate legal act extending the scope of that proposal to third country nationals legally residing in the territory of a Member State who do not fall within the scope of that Directive, whose disability status has been recognised by that Member State, and who are entitled to move or travel to other Member States in accordance with Union law.

CONTENT: this new proposal follows up on that intention and has the objective of ensuring that the same framework as laid down in the proposal for a Directive establishing the European Disability Card and the European Parking Card for persons with disabilities applies to those third country nationals with a disability, who are not already covered by it, when travelling or moving to another Member State for a short period. Thus, it will ensure that it applies to those third country nationals who are legally residing in the territory of a Member State, whose disability status has been recognised by that Member State, and who are entitled to move or travel to other Member States in accordance with Union law.

More specifically, the proposal aims to:

- provide holders of the European Disability Card who are third-country nationals with access on equal terms and conditions in the Member State visited or of travel to any special preferential conditions or preferential treatment with respect to services, activities and facilities offered to persons with disabilities;
- provide holders of the European Parking Card for persons with disabilities who are third country nationals with access on equal terms and conditions in the Member State visited or of travel to any parking conditions and facilities offered to or reserved for persons with disabilities.

European Disability Card and European Parking Card for persons with disabilities: extending to third country nationals legally residing in a Member State

The Committee on Employment and Social Affairs and the Committee on Civil Liberties, Justice and Home Affairs adopted the joint report by Antonius MANDERS (EPP, NL) and Alice KUHNKE (Greens/EFA, SE) on the proposal for a directive of the European Parliament and of the Council extending Directive [XXXX] to third country nationals legally residing in a Member State.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

The amended text stipulated that Member States should ensure that the rules, rights and obligations laid down in the future European Parliament and Council [Directive](#) establishing the European Disability Card and the European Parking Card for persons with disabilities apply to third country nationals not falling within the scope of that Directive whose disability status and/or rights to parking conditions and facilities reserved for persons with disabilities, have been recognised by the Member State of their residence, as well as to any persons accompanying or assisting them, including their personal assistants, regardless of their nationality, as well as to those making use of assistance animals such as guide dogs or assistance dogs.

Improved accessibility

Members included a new article stipulating that Member States should make the conditions and rules, practices, and procedures to issue, renew or withdraw a European Disability Card and a European Parking Card for persons with disabilities who are third country nationals legally residing in their territory publicly available and in accessible formats, including in digital and easy-to-read formats, and upon request, in

assistive formats requested by them, and in a language that they can understand.

Moreover, the European Disability Card should be issued or renewed by the Member State of residence directly or upon application by the person with disabilities or by an authorised person, under national law. Persons with disabilities should be informed in a language that they can understand about the possibility to apply for the European Disability Card when it is not issued directly.

Cost

The card should be issued and renewed free of charge to the beneficiary, within the same period for issuing disability certificates, disability cards or any other formal document or procedure recognising the disability status or entitlement to specific services based on a disability. Member States may decide to charge a fee for the costs relating to the reissuance of the card in cases of loss or damage. In case of a fee, Member States should ensure that the fee does not exceed the administrative costs concerned or discourage persons with disabilities from requesting the card again.

Reporting

A report should be carried out by the Commission addressing the use of the European Disability Card and European Parking Card for persons with disabilities, in particular the impact of any fees where relevant. It should also include an analysis of specific situations of disadvantage resulting from intersectional discrimination, which is understood as discrimination based on a combination of disability, as well as other grounds with a particular focus on women and girls with disabilities.

European Disability Card and European Parking Card for persons with disabilities: extending to third country nationals legally residing in a Member State

The European Parliament adopted by 607 votes to 8, with 17 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council extending the Directive on the European Disability Card and European Parking Card for persons with disabilities for third country nationals legally residing in a Member State.

The European Parliament adopted its position at first reading under the ordinary legislative procedure.

Under the amended text, the rules, rights and obligations set out in the [Directive](#) of the European Parliament and of the Council establishing the European disability card and the European parking card for people with disabilities will apply to third-country nationals legally resident in a Member State who are not beneficiaries of that Directive and whose status as a person with a disability or entitlement to specific services on grounds of disability and the right to benefit from parking conditions and facilities reserved for disabled persons, have been recognised by the Member State of their residence, as well as to persons accompanying and helping them, including personal assistants, or to assistance animals.

For instance, third-country nationals who are beneficiaries of temporary protection under Council Directive 2001/55/EC or beneficiaries of international protection should be covered by this Directive, provided that they are legally residing in a Member State and that their disability status or entitlement to specific services based on a disability has been recognised by that Member State.

Member States are encouraged to provide information to third-country nationals with disabilities covered by this Directive in a language that they can understand or that they are reasonably expected to understand.

The amended text stated that third-country nationals with disabilities are at a heightened risk of being subject to multiple forms of discrimination. The United Nations Convention on the Rights of Persons with Disabilities recognises the difficult conditions faced by persons with disabilities who are subject to multiple or aggravated forms of discrimination on the basis of race, colour, sex, language, religion, political or other opinion, national, ethnic, indigenous or social origin, property, birth, age or other status.

Transparency			
ENGERER Cyrus	Member	01/02/2024	European Disability Forum