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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. prev. doc.:	14910/23
Subject:	Draft Council Conclusions on European Court of Auditors Special Report No 20/2023 – “Supporting people with disabilities” - Approval

1. On 12 October 2023, the European Court of Auditors' published Special Report No 20/2023 entitled “Supporting people with disabilities – Practical impact of EU action is limited”.¹
2. On 31 October 2023, the Permanent Representatives Committee instructed the Working Party on Social Questions to examine the report in accordance with the rules laid down in the Council Conclusions on improving the examination of special reports drawn up by the Court of Auditors.²
3. The Presidency has prepared a set of draft Council Conclusions on the European Court of Auditors Special Report No 20/2023 – “Supporting people with disabilities”.

¹ The report is available in all official languages on the Court's website: <http://eca.europa.eu>

² Doc. 7515/00 + COR 1

4. The Conclusions were examined by the Working Party on Social Questions on 7 and 14 November 2023.
 5. An agreement in principle has been reached on the draft text as set out in the Annex to this note.
 6. The Permanent Representatives Committee is invited to forward the draft Conclusions in the Annex to this note to the EPSCO Council for approval at its session on 27-28 November 2023.
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**European Court of Auditors Special Report No 20/2023 –
“Supporting people with disabilities”**

- Draft Council Conclusions

THE COUNCIL OF THE EUROPEAN UNION:

1. TAKES NOTE of the Special Report on Supporting people with disabilities submitted by the European Court of Auditors (ECA), published on 12 October 2023, also made available to persons with an intellectual disability in an easy-to-read version, and entitled “Supporting persons with disabilities – Practical impact of EU action is limited”.³
2. AFFIRMS the importance of supporting persons with disabilities across the European Union, in compliance with the UN Convention on the Rights of Persons with Disabilities (UNCRPD), which entered into force for EU on 22 January 2011, and which has been signed and ratified by all Member States.
3. UNDERLINES the right of all European Union citizens to move and reside freely within the territory of the European Union, as well as their right to protection against discrimination on the grounds of disability.⁴
4. RECALLS the commitment to improve the lives of persons with disabilities within the European Union, as set out in the Commission’s Strategy for the Rights of Persons with Disabilities 2021-2030, which was welcomed and endorsed by the Council of the European Union and the representatives of the governments of the Member States, meeting within the Council, without prejudging the future position of the Council and the Member States on concrete initiatives implementing the Strategy.⁵

³ This Special Report and its easy-to-read version are available on the Court’s website:
<http://eca.europa.eu>.

⁴ Articles 19 and 21 TFEU.

⁵ Doc. 9749/1/21 REV 1.

5. RECALLS that, in its Strategy, the European Commission presented a comprehensive and ambitious framework designed to improve the lives of persons with disabilities in the EU and beyond and to advance the implementation of the UNCRPD. The objective of this Strategy is to progress towards ensuring that all persons with disabilities enjoy their human rights, and have equal opportunities, as well as equal access to participate in society and economy, and are able to move freely within the European Union, free from discrimination.
6. EMPHASIZES the importance of efforts and measures taken by all Member States to improve the situation of persons with disabilities and the Commission's role in supporting this process, while REAFFIRMING the Member States' key responsibility in this area.
7. STRESSES that the implementation of comprehensive policies supporting persons with disabilities, including women and girls with disabilities, across the EU will make the EU more inclusive and participatory, while making society more fair and equal.
8. CONSIDERS that the implementation of measures aimed at guaranteeing the rights of persons with disabilities is a priority for the future of the European Union, and will help to reduce the gap in employment and the risk of poverty affecting persons with disabilities.
9. REAFFIRMS the importance of the implementation of full accessibility in the European Union and Member States in accordance with the UNCRPD as a prerequisite for an inclusive and equitable society.
10. HIGHLIGHTS the importance and relevance of the European Court of Auditors Special Report No 20/2023.

11. NOTES the concluding recommendations set out in the Special Report, whereby the Commission should, in the European Court of Auditors' view, in particular:

- a) Obtain more comparable data across the European Union on the situation of persons with disabilities in terms of coverage, granularity and frequency as one of the bases for measuring the impact and effectiveness of the EU policy aimed at ensuring equal rights for persons with disabilities.
- b) Make progress in reviewing and adopting relevant EU legislation to ensure compliance with the UNCRPD.
- c) Work towards the mutual recognition of disability status for short stays in the EU Member States, respecting the subsidiarity and proportionality principles.
- d) Measure and report progress towards employing persons with disabilities in EU institutions and report on progress regularly in full respect of data protection rules, by comparing their own data against comparable information at EU level, and where feasible also at Member State level.

CALLS UPON THE EUROPEAN COMMISSION, in the light of the recommendation of the Special Report, to

12. Work with Member States to remove barriers so that persons with disabilities can enjoy the right to free movement, while fully respecting the subsidiarity and proportionality principles and different systems in the Member States.
 13. Support the Member States in their efforts to fulfil requirements such as the horizontal enabling condition on implementing the UNCRPD and recommendations from the European Semester when implementing the 2021-2027 cohesion policy funds.
 14. Work with Member States to obtain more comparable disaggregated data on the situation of persons with disabilities and to improve the quality of such data.
 15. Work with the other EU institutions to measure and report progress towards employing persons with disabilities in EU institutions.
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