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NOTE

From: Presidency
To: Delegations

Subject: Draft Council Conclusions on the Strategy for the Rights of Persons with Disabilities 2021-2030

With a view to the meeting of the Social Questions Working Party on 30 March 2021, delegations will find attached a set of draft Council conclusions on the above subject, as prepared by the Presidency.

Written comments are welcome even before the meeting and should be sent to the following email addresses:

social@reper-portugal.be and LIFE.social@consilium.europa.eu

*Draft Council Conclusions on the Strategy
for the Rights of Persons with Disabilities 2021-2030*

ACKNOWLEDGING THAT

1. The European Union is founded on the values of human dignity, freedom, and respect of human rights and committed to combat discrimination, including on the grounds of disability as set out in the Treaty on European Union and the Charter of Fundamental Rights.
2. The European Commission committed to create a Union of Equality to which the Strategy for the Rights of Persons with Disabilities 2021-2030 provides an important contribution, building on progress achieved in the implementation of the United Nations' Convention on the Rights of Persons with Disabilities and guided by the European Pillar of Social Rights.
3. Around 87 million persons in the European Union have some form of disability and thus face barriers to their economic and social participation. Impairments tend to increase with age: around half of persons aged 65 and over reported disabilities. Evidence calls for intensifying action as more than half of all persons with disabilities (52%) feel discriminated against in their daily lives. Persons with disabilities experience significant gaps in key areas; for example, an employment rate 24.2 p.p. lower than that of persons without disabilities and a risk of poverty or social exclusion 10 p.p. higher than that of persons without disabilities.
4. Persons with disabilities are a diverse group requiring policies, products and services tailored to specific individual needs. Disability comprises physical, mental, intellectual, or sensory impairments some of which are invisible. The intersection with other personal characteristics such as unfavourable socio-economic conditions, gender or ethnic identities may cause multiple disadvantages. Women, older persons and children with disabilities suffer situations of violence and abuse (17%) more often compared to people without disabilities (8%), at home and in institutions.

5. Disability is an evolving phenomenon resulting from the interaction between impairments and attitudinal and other barriers in the societal environment. Policies focusing on the potential of persons with disabilities, on combating stereotyping and discrimination and on reducing barriers are essential for ensuring that people with disabilities can enjoy their full rights and benefit from participating in society on an equal basis with others.
6. Considerable efforts have been undertaken at European level to implement the European Commission's European Disability Strategy 2010-2020, the EU level policy framework designed to support the implementation of the United Nations' Convention on the Rights of Persons with Disabilities (UNCRPD) in the Union. Similarly, the Member States have made efforts at the national level in this area, including with a view to implementing the UNCRPD in the areas under their responsibility.
7. The 2010-2020 Strategy sought to pave the way to a barrier-free Europe, advanced the mainstreaming of disability into national and European policies, and contributed to the development of disability-inclusive policies. Through policies for international cooperation, the EU and its Member States have also led the way globally in promoting the inclusion and full participation of persons with disabilities.
8. In line with the values enshrined in the EU Treaties, the Commission's new Strategy for the Rights of Persons with Disabilities 2021-2030 presents 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.
9. The new Strategy complements other initiatives that aim to combat discrimination in all its forms and not leave anyone behind, to build a Union of Equality for all including persons with disabilities in line with the principles of the United Nations' 2030 Agenda for Sustainable Development.

10. The principles enshrined in the European Pillar of Social Rights and the Action Plan adopted by the Commission to implement it, seek to improve the lives of persons with disabilities putting forward measures to ensure a strong, social Europe and a fair and inclusive recovery from the COVID-19 crisis.
11. The disability dimension has been integrated into the European policies for the green and digital transitions and for a social and healthy Europe: the European Green Deal, the European Commission Digital Strategy to make Europe Fit for the Digital Age, the European Skills Agenda, the European Pillar of Social Rights Action Plan, the Digital Education Action Plan, the European Health Union, the Reinforced Youth Guarantee, the European Child Guarantee and the Commission's Strategy on the Rights of the Child are all disability-inclusive. The Council has recently also suggested that Member States explore innovative ways to ensure that all groups, including persons with disabilities, can access and benefit from the European Charter of Fundamental Rights¹.

UNDERLINING THAT:

12. Persons with disabilities have a higher probability of being subject to discrimination and socio-economic disadvantage in a range of different areas. They frequently experience barriers in accessing healthcare, housing, participating in democratic processes, and using products and services, and live in poverty and isolation more often than persons without disabilities. They also tend to have lower educational attainments and employment rates and to leave the workforce earlier. The COVID-19 has exacerbated these problems.
13. Accessibility of buildings, transport, products and services, including web-based services, and of information and communication technologies, is a prerequisite for equal participation in the life of the community and for independent living. In addition to the UNCRPD requirements, the EU Law has set out minimum standards that should be effectively and coherently implemented.

¹ [Council Conclusions on strengthening the application of the Charter of Fundamental Rights](#)

14. The full enjoyment of the rights to free movement and to equal participation in democratic processes by persons with disabilities requires policies for ensuring wider recognition of disability status across the EU and for promoting equal participation in elections, including local, regional and national elections and the elections to the European Parliament.
15. Policies to promote independent and decent living and to facilitate the employment of persons with disabilities are gaining urgency, especially in ageing societies. Strategies for independent living should comprise adequate housing and quality services in the community, including for persons with intellectual and/or psychosocial disabilities, in order to enable them to choose appropriate living arrangements.
16. Calling for inclusive labour markets, the Council² recommended that persons with disabilities should receive tailored support for transitions to the general labour market, for labour market reintegration and for equal enjoyment of workers' rights, including in sheltered employment. Such support is necessary with a view to allowing persons with disabilities to achieve their full potential, which will also benefit society and the economy.
17. The digital transition offers new opportunities in terms of communication, self-determination and assistive technologies for persons with disabilities. New technologies need to be accessible for all persons with disabilities and supporting service providers should be equipped with adequate skills enabling them to cater to the needs of persons with disabilities. The COVID-19 pandemic showed the importance of accessibility of ICT tools necessary for teleconferencing, telework arrangements, remote learning, online shopping, and access to public services and information as well as the shortage of ICT professionals with training in the implementation of accessibility.

² Council conclusions on [Improving the employment of people in a vulnerable position in the labour market.](#);

18. Ensuring equal access and non-discrimination requires legislation and action in different policy fields and across areas. The COVID-19 pandemic has refocused attention on efforts to safeguard access to the entire healthcare portfolio³ for persons with disabilities, to make education and lifelong learning inclusive and accessible for all from an early age and to bring unemployed persons with disabilities into the labour market. Facilitating access to culture and sports has a recognised value as a means of supporting social inclusion⁴. Research, training of professionals and accessibility policies are also needed to improve the participation for persons with disabilities and are key areas in the access to justice.
19. The European Commission's Strategy for the Rights of Persons with Disabilities 2021-2030 should be supported by ambitious national strategies, objectives and targets, taking into account national competences, so as to advance in the creation of a disability-inclusive European Union in line with the UNCRPD and to improve the lives of persons with disabilities.
20. National policies to implement the UNCRPD also have an international dimension. The goal should be to systematically and sustainably mainstream disability into external action policies including development cooperation and international humanitarian aid to increase the social inclusion of persons with disabilities.
21. There are still significant gaps and methodological discrepancies in the collection of statistical data on the situation of persons with disabilities among Member States. These should be addressed in order to ensure that information provided is relevant in terms of both quality and frequency.
22. By implementing Human Resources strategies for diversity and inclusion together with accessibility policies for buildings, venues, communication and publications, the European Commission and other European institutions should lead by example for policymaking at national, regional and local level.

³ European Inclusion Summit 2020. [Declaration](#).

⁴ [Council conclusions on Access to sport for persons with disabilities](#).

23. In line with the commitments they had undertaken as parties to the UNCRPD, at the European Inclusion Summit 2020, Member States declared their determination to build a Europe where persons with disabilities can participate in all areas of society. A regular exchange of views between the EU, its Member States and representatives of the interests of persons with disabilities should ensure efficient delivery of this objective, in particular when supported by contact points for disability matters to be established in all Commission services and EU institutions.
24. *[To be added: reference to the upcoming High-level conference on the Strategy for the Rights of Persons with Disabilities organized by the Portuguese Presidency.]*
25. This set of Conclusions builds on previous work and political commitments voiced by the European Parliament, the Council, the Commission and relevant stakeholders in this area, including in the documents listed in the Annex.

THE COUNCIL OF THE EUROPEAN UNION AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL

26. WELCOME AND ENDORSE the European Strategy for the Rights of Persons with Disabilities 2021-2030 and **INVITE THE MEMBER STATES** to swiftly implement the related EU law and put in place policies in all areas covered by the Strategy to support its implementation.

INVITE THE MEMBER STATES TO

27. Continue developing national strategies to implement the UNCRPD and the European Commission's Strategy for the Rights of Persons with Disabilities 2021-2030 at national, regional and local level.

28. Take into account the situation of persons with disabilities when setting national targets to achieve the headline targets set in the European Pillar of Social Rights Action Plan and in the European Skills Agenda, namely targets for reducing the employment rate gap between persons with and without disabilities; targets for promoting adult learning of persons with disabilities; and targets for the reduction on the number of persons with disabilities in risk-of-poverty or social exclusion.
29. Advance in ratifying the Optional Protocol of the UNCRPD as far as concerned and re-examine the EU accession to the Optional Protocol.
30. Ensure the effective and coherent transposition and implementation of all EU law on accessibility of products, services, media, transport and buildings and reinforce cooperation through the AccessibleEU resource centre to be launched in 2022.
31. Promote the development of Community-based social services and independent living, taking into account established good practices. Use EU funding to strengthen the quality of services providing support in the community.
32. Promote the exercise of electoral rights by persons with disabilities.
33. Further promote the coordination of the UNCRPD National Focal Point with other ministries including by establishing contact points for disability matters in ministries and public bodies and work with relevant European Commission services to implement the Strategy.
34. When implementing the UNCRPD and the Strategy, enhance consultation with and active involvement of persons with disabilities in the development and implementation of legislation and policies, including through their representative organisations.
35. Make use of EU funding and financial programmes including the Recovery and Resilience Facility, the Cohesion Policy Funds and Horizon Europe to advance the implementation of the UNCRPD and of this Strategy, including in the areas of accessibility, community-based social services, independent living and socio-economic inclusion of persons with disabilities.

INVITE THE MEMBER STATES AND THE COMMISSION, in accordance with their respective competences, to

36. Work together towards full implementation of the UNCRPD and take initiatives to adapt EU and national legislation accordingly where necessary.
37. Promote structured cooperation between the Member States, the Commission and representative organisations of persons with disabilities, including by involving the national UN focal points in the new Disability Platform, and by cooperating with representatives from the regional and local level.
38. Ensure systematic disability mainstreaming in line with the UNCRPD, including the screening, monitoring and evaluation of all EU legislative acts, EU programmes and EU funding, as well as national legislation and policies.
39. Coordinate in order to identify fields and possibilities for action with the objective to raise awareness regarding disability matters, to combat stigmatisation, discrimination and multiple disadvantages faced by girls, women and older persons with disabilities.
40. Strengthen cooperation on disability matters in the context of EU financial programmes and funding, development cooperation, humanitarian aid and enlargement.
41. Enhance cooperation on comprehensive and regular data collection, coordinated by EUROSTAT, thus also contributing to improved monitoring in the context of the European Semester.
42. Expand data collection on the situation of persons with disabilities, including those living in institutions, in areas such as accessibility, health and healthcare, employment, training, skills, education, social protection, poverty and social inclusion, living conditions and use of new technologies.

43. Ensure synergies between the Strategy, the national strategies and the United Nations' 2030 Agenda for Sustainable Development.
44. Support peer learning activities on national disability strategies and national, regional and local disability policies and practices in different areas.
45. Consult and seek cooperation with civil society organisations representing or working with persons with disabilities.

INVITE THE COMMISSION TO

46. Ensure the alignment between its Strategy for the Rights of Persons with Disabilities 2021-2030 and the EU policy initiatives for the green and digital transitions.
47. Ensure synergies between the Strategy, other equality strategies, and the policies and instruments for building a European Health Union, education and skills development, youth, children and ageing.
48. Foster disability mainstreaming and coordinated action across Commission services through establishing disability coordinators for the implementation and monitoring of its Strategy for the Rights of Persons with Disabilities 2021-2030, working closely with persons with disabilities and their representative organisations.
49. Monitor the implementation of enabling conditions in the context of the Member States' frameworks for the implementation of the UNCRPD and accessibility as well as their use of EU financial programmes and funding for the economic and social inclusion of persons with disabilities.
50. Promote mutual learning and the exchange of good practice between Member States so as to enhance the knowledge base regarding accessibility and other areas such as community-based social services, independent living and measures to enhance the employability of persons with disabilities, including employment services.

INVITE THE EMPLOYMENT COMMITTEE (EMCO) AND THE SOCIAL PROTECTION COMMITTEE (SPC) TO

51. Review the EU Social Scoreboard in line with the European Pillar of Social Rights Action Plan with a view to better monitoring the situation of persons with disabilities under the European Semester process.
52. Continue conducting peer learning activities on social and employment policies, implementing the rights of persons with disabilities in these areas.

References

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European Pillar of Social Rights

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European Inclusion Summit 2020: Declaration by the EU Member States' Representatives of the interests of persons with disabilities.

2. EU legislation

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3. Council

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Council Conclusions on Improving the employment of people in a vulnerable position in the labour market; (14646/19)

Council Conclusions on Access to sport for persons with disabilities. (OJ C 192, 7.6.2019, pp. 18-22)

Council Conclusions on the Economy of Wellbeing (13432/19)

Council Conclusions in Support of the implementation of the European Disability Strategy 2010-2020 (11843/11)

4. European Commission

Commission Communication (COM (2010) 636 final): European Disability Strategy 2010-2020.

Commission (SWD(2020) 291 final): Evaluation of the European Disability Strategy 2010-2020.

Commission Communication (COM (2021) 101 final): Union of Equality: Strategy for the Rights of Persons with Disabilities 2021-2030.

Data: EU SILC (Statistics on Income and Living Conditions) and EU LFS (Labour Force Survey);
S. Grammenos/M. Priestley, 2020: Europe 2020 data and people with disabilities; Special Eurobarometer 493, Discrimination in the EU, May 2019.

Communication on A Strong Social Europe for Just Transitions. (COM(2020) 14 final.)

The European Pillar of Social Rights Action Plan (6649/21 + ADD 1 + ADD 2)

5. European Parliament

European Parliament resolution of 18 June 2020 on the European Disability Strategy post- 2020 (2019/2975(RSP))

6. United Nations

United Nations Convention on the Rights of Persons with Disabilities.

UN Resources on Persons with Disabilities and COVID-19.

United Nations 2030 Agenda for Sustainable Development