**UNITED NATIONS HUMAN RIGHTS RECOMMENDATIONS TO THE EU**



For the 1st time in history, the EU was examined by a UN human rights treaty body and received recommendations to strengthen their approach to the rights of persons with disabilities in Europe.

Brussels, 7 September 2015 | On 27 and 28 of August, the European Union was examined for the first time by a UN human rights committee in Geneva- the expert committee on the rights of persons with disabilities. Having ratified the UN Convention on the Rights of Persons with Disabilities in 2010, the EU was called to present the work it has done on the implementation of the Convention since then. This is the first international human rights treaty that the EU as a whole has ever ratified.

**EDF and its members** were also present for the EU review in Geneva to follow the constructive dialogue between the UN and the EU. [You missed the dialogue? Watch it on the UN’s webstream](http://www.treatybodywebcast.org/).

The UN Committee has now published its **concluding observations and recommendations** on how the EU can promote and protect the rights of persons with disabilities in Europe in areas such as: freedom of movement, non-discrimination, independent living, education, employment, humanitarian aid and international cooperation, legal capacity, access to justice, liberty and security, health, participation in elections etc.

[Find the UN’s concluding observations to the EU on the UN’s website](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEU%2fCO%2f1&Lang=en).

**Today, EDF and its members warmly welcome the UN’s recommendations to the EU. In many ways they reflect the priorities of the disability movement. We celebrate this day as the beginning of an important period. The EU has been given powerful recommendations to make the rights of persons with disabilities a top priority.**

**WHAT’S NEXT?**

The UN required the EU to provide feedback within one year on three areas:

* progress in its independent monitoring mechanism,
* adoption of the long awaited European Accessibility Act,
* reviewing its Declaration of competences- this means the EU should bring its list of policy areas to which the Convention applies, up to date.

The EU has a follow-up review in 4 years time. It will have to explain at that moment which steps it has taken to implement the recommendations. The **next progress report** has to be submitted by January 2019.

**EDF together with its members and partners will continue working actively to promote the Convention for the coming 4 years based on the UN’s concluding observations.**

“This is a historic moment for us. People with disabilities across the European Union have been hit hard by austerity, and face increasing poverty and marginalisation. Today, the UN expert committee has recognised this, and has provided a powerful and comprehensive set of recommendations to the EU. This gives a strong mandate to the EU, including all its institutions and agencies to fully address the inclusion of persons with disabilities in all of their work. The EU has been a world leader in committing as a regional body to this human rights Convention. It can also be a leader in the implementation of the Convention. We, as EDF, will continue to work hard with our members and allies to promote these recommendations so that 80 million Europeans with disabilities will feel the benefit of the Convention directly in their lives”, says EDF’s President, **Yannis Vardakastanis**.

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EDF’s first observations on the UN’s recommendations to the EU**

Among the important actions that the UN requests the EU to take in the following years is:

- To adopt a **comprehensive strategy to implement the Convention** across all EU institutions and Member States.

- To undertake a mid-term **review of the European Disability Strategy** 2010-2020, and include the UN Committee’s recommendations in this exercise.

- To **review EU existing legislation** and policy to ensure that it is in line with the Convention.

- To **review the impact assessment guidelines** to include a more comprehensive list of issues for better assessment of compliance of new EU instruments with the Convention.

**- To set up a structured dialogue for persons with disabilities and their representative organisations in all EU decision making processes.**

- To ensure the independence and compliance with the Paris Principles of the **EU monitoring framework**, by removing the European Commission, and to provide adequate resources for the performance of its functions.

**-** The designation of **focal points in all EU institutions**, bodies and agencies, and the establishment of an **inter-institutional coordination mechanism** for the implementation of the Convention.

- To mainstream **women and children with disabilities’** **rights** and perspective in EU’s upcoming Gender Equality Strategy, policy on work-life balance, and the upcoming EU Agenda on the rights of the child, and by ratifying the Council of Europe’s Istanbul Convention.

- To run a **campaign to raise awareness** of the Convention and to combat prejudice against persons with disabilities.

- To promote the **freedom of movement of persons with disabilities** when moving to another EU member state to work or live: adoption of a **European Accessibility Act** in line with the Convention, adoption of **equal treatment** legislation extending protection against discrimination of persons with disabilities including the provision of reasonable accommodation, portability of social security benefitsfor workers with disabilities and for short-term stays in other Member States for students or interns, ensuring **accessible and inclusive voting** for all persons with disabilities.

- To create for persons with disabilities a **minimum social protection floor from the economic crisis;** the Committee expressed its deep concern in relation to the disproportionately adverse and retrogressive effect the **austerity measures** in the EU on the lives of persons with disabilities.

- To develop an approach to guide Member states’ efforts of **deinstitutionalisation** and to strengthen the monitoring of the use of the [European Structural & Investment Funds](http://ec.europa.eu/contracts_grants/funds_en.htm) with the meaningful engagement of representative organisations of persons with disabilities. The UN Committee recommends that they should be used strictly for the **development of support services** **for persons with disabilities in local communities** and not the re-development or expansion of institutions. The UN Committee further recommends the EU to suspend, withdraw and recover payments if the obligation to respect fundamental rights is breached.

- To take all measures to ensure that persons with disabilities deprived of their **legal capacity** can exercise all their rights given by EU treaties and EU legislation.

- To take action to guarantee **access to justice**, **prohibit involuntary detention and treatment**, including forced sterilisation and abortion, and include the disability perspective in EU policy on violence, abuse and exploitation.

- To adopt EU policy on **humanitarian aid** and **international cooperation**.

- To guarantee access for all children with disabilities to **inclusive and quality education** in European schools.

- To apply a human rights based approach to disability in the EU **health care** coverage.

Throughout the concluding observations, the UN calls for the need to mainstream the rights of persons with autism, intellectual and psychosocial disabilities, blind, deaf and deaf-blind persons in the EU’s work on the UN Convention.

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Find:

[More information about the EU review process](http://www.edf-feph.org/Page_Generale.asp?DocID=13854&thebloc=30214)

[EDF’s alternative report on the rights of persons with disabilities in Europe](https://www.dropbox.com/s/88lg96uknfgy8ps/2015%2003%2004%20EDF%20Alternative%20report%20final%20ACCESSIBLE.pdf?dl=0)

[Our members’ campaigns and alternative reports](http://www.edf-feph.org/Page_Generale.asp?DocID=13854&thebloc=34251)

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