

The logo of the European Disability Forum (EDF) is a blue circle containing the text "EUROPEAN DISABILITY FORUM" in white, uppercase letters. A stylized graphic of a person's legs in red and white stripes is positioned at the bottom left of the circle.



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List of Acronyms

Charter - Charter of Fundamental Rights of the European Union

CoRf - Committee of the Regions

CRPD - United Nations Convention on the Rights of Persons with Disabilities

DG - Directorate-General (of the European Commission)

EDF - European Disability Forum

EESC - European Economic and Social Committee

EU - European Union

ESIF - European Structural and investment Fund

MEP - Member of the European Parliament

NEB - National Enforcement Bodies

TEU - Treaty on the European Union

TFEU - Treaty on the Functioning of the European Union

An online version of this report is available on the website of EDF:
<http://www.edf-feph.org/know-your-rights>

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YOUR RIGHTS IN THE EUROPEAN UNION

Easy-to-read version



Who are we?

We are the **European Disability Forum**.
We are an organisation of people with disabilities in Europe.
In short, we are called 'EDF'.



At EDF, we work to protect the rights of people with disabilities in Europe. We think that people with disabilities should have same chances in life and take part in the community like everyone else.

We also think that people with disabilities should decide about their lives.
Nothing should be decided about us without us!

What is this booklet about?

We wrote this booklet to talk about the rights of people with disabilities in Europe.

This booklet can help you learn:

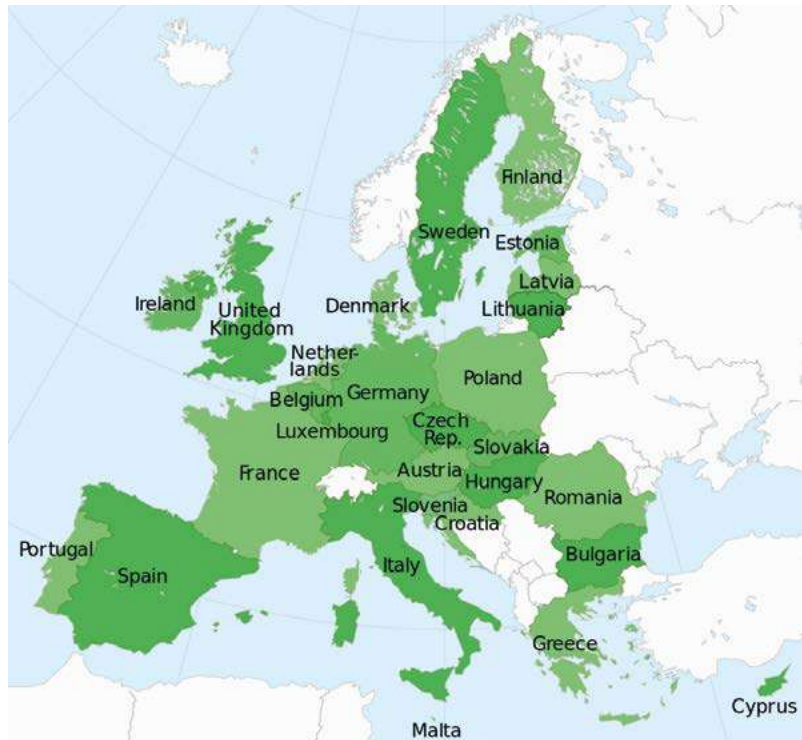
- what the European Union is and how it works,
- what the European Union does for people with disabilities,
- what stills needs to be done so that people with disabilities have better lives,
- who you can contact if you feel that your rights are not respected and that you are treated unfairly.

What is the European Union?

The European Union is a group of 28 countries in Europe. These countries came together to make things better, easier and safer for people. They agreed to work together and help each other.

These countries are:

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovakia
- Slovenia
- Spain
- Sweden
- United Kingdom



Recently, the United Kingdom decided to stop being part of the European Union. So from March 2019, the United Kingdom will not be part of the European Union anymore.

How does the European Union work?

The European Union has 3 main bodies:

- the **European Commission**
The people of the European Commission suggest laws for the European Union.
- the **European Parliament**
The people of the European Parliament are elected by all people in Europe to stand for their rights.
- the **Council of the European Union**
People who make decisions in every country of the European Union come together and make the Council of the European Union.



These 3 bodies are very important for the European Union. They work closely together to make things better in Europe:

- The **European Commission** suggests laws.
- The **European Parliament** and the Council of the European Union discuss these laws and decide if they want these laws to happen in Europe.
- If they decide that a law must happen in Europe, all countries of the European Union must work to make this law happen in them.

How does the European Union protect people with disabilities?

The European Union must work to protect the rights of all people. It should protect the rights of people with disabilities too. It must make sure that they are treated fairly and they have same chances in life as all other people.

- **The European Union and its countries have signed the 'UN Convention on the Rights of Persons with Disabilities'.**
In short, we call it the '**UN Convention**'.



The UN Convention is a document that says what rights people with disabilities have and how countries should protect these rights.

By signing the UN Convention, the European Union agreed to do what the UN Convention says to protect people with disabilities. For example, the European Union agreed to make sure that all people with disabilities:

- have same chances in life as all other people,
 - are not treated unfairly or badly just because they have a disability,
 - can take part in the community as everyone else.
- **The European Union has made an important law that protects the rights of all people.**
This law is called the '**European Charter of Fundamental Rights**'.
This law protects people with disabilities too.
For example, it says that people with disabilities have the right to:

- live an independent life,
- have a job,
- be part of the community,
- take part in all things in life like all other people.



It also says that it is against the law to treat people unfairly just because they have a disability.

- **The European Union makes important plans in order to better organise its work on the rights of people with disabilities.**
We call these plans '**Disability Strategies**'.

These strategies help the European Union to plan their work ahead and make things better for people with disabilities in Europe.

- **The European Union asks its countries to use the European money for the good of all people.**

The European Union gives money to its countries. The countries should spend this money to make schools, streets and other things that are important for people.



This money is very important for people with disabilities too. It can be used to make things accessible so that people with disabilities can use them. For example, this money can be used to make schools, offices, metros, buses and other things accessible. This way people with disabilities can study, work and take part in life like everyone else.

To get this money from the European Union, countries should agree to use this money for the good of people with disabilities too. They should not use this money for things that leave people with disabilities out. They should use this money to make things accessible for them.

- **The European Union has made laws that allow people and things to move freely among its countries.**
We call this 'Freedom of Movement'.
Freedom of movement means that all people in the European Union have the right to:
 - move, work, study and live in any country of the European Union.
For example, a German person can move to France to study or work.
 - buy and sell things and services in other countries of the European Union more easily.

For example, a Spanish person can buy a computer from Italy without extra taxes.

- transfer money, open a bank account or buy a house in other countries of the European Union.
For example, a French person can buy a house in Greece and pay the same price as people who live in Greece.

Freedom of movement is a very important right.
The European Union works to make sure that people with disabilities enjoy freedom of movement too.



In the next pages, you will read how the European Union tries to make freedom of movement happen for people with disabilities and what rights people with disabilities have in the European Union.

Your rights when you travel

Did you ever have problems when you were travelling in the European Union?
The European Union has laws that protect you.

For example:



- **People with disabilities have the right to get help when they are travelling by plane, train, boat or bus.**
They have the right to get this help for free.
It is better if people with disabilities ask for this help in advance so that it is ready when they need it.

When travelling by plane, boat or train, people with disabilities should say they need help 48 hours before their trip.

When they travel by bus,
they should say they need help
36 hours before their trip.

This way the air, bus, train or boat companies
have enough time to prepare
and give people with disabilities
the help they need.

If people with disabilities
ask for help at last moment,
companies should still try to help them
but there may not be enough time to do so.

- **Companies cannot refuse people from entering a plane, a boat, a train or a bus just because they have a disability.**
They can only refuse if travelling could be dangerous for people with disabilities.
- **When you travel by bus or boat, you can have a person with you to help you.**
This person can travel with you for free.

You can find more information
on the website of the European Union here:
<https://europa.eu/youreurope/citizens/travel/passenger-rights>

Travelling by plane

You have certain rights when you travel by plane.

If they don't accept you in the plane
or if your flight is cancelled
or late for more than 3 hours,
the company should:

- offer you another flight
or
- give you your money back.



In some cases, the company should give you 250 to 600 euros for the trouble you had at your trip. That happens only if the delay was the company's fault. If the delay was due to other problems like bad weather, the company doesn't pay you any money.

You can find more information on the website of the European Union here:
<https://europa.eu/youreurope/citizens/travel/passenger-rights/air>

Travelling by train

You have certain rights when you travel by train. If your train is late for more than 1 hour, you can:



- leave the train and ask the money of your ticket back,
- take another train without any extra charge,
- stay on the train and wait.
In this case, you have the right to get back part of the money you paid for the ticket. But if the delay was not the company's fault, you don't get money back.

You can find more information on the website of the European Union here:
<https://europa.eu/youreurope/citizens/travel/passenger-rights/rail>

Travelling by bus

You have certain rights when you travel by bus. If you plan to take the bus for a long distance and it is cancelled or late for more than 2 hours, the company of the bus should:



- give you back the money you paid for the ticket or
- help you take another bus with no extra cost.

If the company doesn't help you with this,
you can make a complaint.
This way, you may get money for the trouble you had.

You can find more information
on the website of the European Union here:
<https://europa.eu/youreurope/citizens/travel/passenger-rights/bus-and-coach>

Travelling by boat

You have certain rights when you travel by boat.
If you travel by boat and the boat is cancelled
or late for more than 1.5 hour,
the company of the boat should:



- give you back the money you paid for the ticket
or
- help you take another boat with no extra cost.

If you arrive at your destination late for more than 1 hour,
the company should pay you some money for the trouble you had.

You can find more information
on the website of the European Union here:
<https://europa.eu/youreurope/citizens/travel/passenger-rights/ship>

The European parking card

The European Union has made a parking card
for people with disabilities.
With this card, you can have access to parking areas
for people with disabilities in all countries
in the European Union.



You can get your parking card
from the responsible office in your country.
You can find more information
on the website of the European Union here: <https://europa.eu/youreurope/citizens/national-contact-points>



The right to work

The European Union has laws that protect the right of people with disabilities to work.

The laws say that people with disabilities have the right to work like everyone else.

They should not be treated badly or unfairly just because they have a disability.

Offices and other things should be accessible for people with disabilities. For example:

- Offices should have ramps so that people in wheelchairs can go in.
- Blind or deaf people should have the right technology so that they can work without problems.

Also, the European Union makes it possible to move to another country of it and work there.

You will then have the same rights as the people who live in this country.

You can find more information on the website of the European Union here:

<http://ec.europa.eu/social/main.jsp?catId=25&langId=en>

Social security benefits

'Social security benefits' means that a country gives money or other things to people in need.

For example, a country may:

- give people with disabilities some money to help them have a better life,

- give poor people some money or a house to live in,
- give money to people who do not have work or help them find a job,
- pay for a person who is sick to go to the hospital,
- give money to older people when they stop working.

These social benefits are really important for all people.
Anyone may need support sometime.
So it is important that all people have access to social benefits.

Thanks to the European Union, you can get these benefits wherever you live in the European Union.
If you move to another country of the European Union, you have the right to get social benefits from this country like the people who live there.



You can find more information
on the website of the European Union here:
<http://ec.europa.eu/social/main.jsp?catId=849&langId=en>

The right to study

The European Union gives people the right to study at the university of any country in the European Union.
For example, a Belgian student can go study at a university in Romania and pay the same money as students in Romania.

The European Union has programmes that help students go study in other countries in the European Union.
For example, the '**Erasmus programme**'.
With the Erasmus programme, the European Union gives money to students to do part of their studies in another country of the European Union.
This way, students have the chance to get to know another country and its culture, meet other students, learn and have a good time.



Students with disabilities should have this chance too.
They can also ask the European Union for more money
if they need to have a support person with them or other kind of help.

You can find more information
on the website of the European Union here:
[https://ec.europa.eu/programmes/erasmus-plus/opportunities/
individuals/physical-mental-conditions_en](https://ec.europa.eu/programmes/erasmus-plus/opportunities/individuals/physical-mental-conditions_en)

The right to justice

The European Union has laws
that protect people who have been treated badly or unfairly.
These people can go to the court and report the bad things
that happened to them.
This way, the court can act to protect them.
In all this process, people with disabilities and all people
should have the right to:

- understand all steps and make their point clear,
- be informed about their rights,
- get the support they need for free,
- be safe from the people who treated them badly
and from any other risk.



You can find more information
on the website of the European Union here:
[https://ec.europa.eu/info/policies/justice-and-fundamental-rights/
criminal-justice/victims-rights_en](https://ec.europa.eu/info/policies/justice-and-fundamental-rights/criminal-justice/victims-rights_en)

People who are taken to the court because they did something wrong, also
have certain rights.
For example, they have the right to:

- be informed about their rights,

- have a person to help them understand, if they do not speak the language,
- have a lawyer to help them make their point clear at the court.

You can find more information

on the website of the European Union here:

https://ec.europa.eu/info/policies/justice-and-fundamental-rights/criminal-justice/rights-suspects-and-accused_en#designingcriminallaw

The right to health care

As a person living in the European Union, you have the right to health.

That means you can go to the hospital, see a doctor and buy the medicine you need when you are sick.



If you travel in another country of the European Union, you have this right too.

If you need to pay for the hospital or the doctor in another country, you may get the money back when you go back to your country.

You can find more information

on the website of the European Union here:

https://ec.europa.eu/health/cross_border_care/overview_en

Buying things from other countries

The European Union protects your rights when you buy things from other countries of the European Union. For example, you have the right to:

- get clear and right information about the thing you want to buy and how much it costs,
- buy things at the same price as the people of this country. You should not pay more just because you are from another country,



- return a thing you bought online and get your money back if it has a problem,
- cancel your order or return a thing up to 14 days later.

You can find more information on the website of the European Union here:
https://europa.eu/youreurope/citizens/consumers/shopping/pricing-payments/index_en.htm

Public websites

The European Union made a law that says that public websites in Europe should be accessible. For example, the website of your hospital or the community you live at should be accessible.



This way, people with disabilities and all people could use them and find important information. The law says that public websites in Europe should be accessible by September 2020.

You can find more information in EDF's booklet here:
http://www.edf-feph.org/sites/default/files/final_edf_web_and_apps_directive_toolkit_may_2017_0.pdf

Phone calls

The European Union has laws and rules to make sure that people with disabilities can use phones as everyone else. Phone companies should think of people with disabilities and make sure that phones are accessible for them. For example, blind people may need a system that reads them the text messages they get on their phone.



There is also a number you can call from anywhere in Europe if you need to ask for help. For example, if you had an accident in the street or if you are in danger. This number is 112 and you can call it for free from anywhere you are in Europe.

You can find more information
at the website of the European Union here:
<https://ec.europa.eu/digital-single-market/en/eu-rules-112>

Access to television



The European Union works to make sure that
programmes on television are accessible for people with disabilities.
For example, there should be more subtitles and sign language
for deaf people and people who cannot hear well.

The European Union works to make a law
that will make these things more accessible for people with disabilities.
If the programmes on television are accessible,
people with disabilities can watch the programmes they want
like all other people.

For more information, visit the website of the European Union here:
<https://ec.europa.eu/digital-single-market/en/policies/audiovisual-media-services>

The right to vote

The right to vote is very important.
All people in Europe should have the right to vote
and choose who will make decisions and laws
in Europe.



It is also important to stand for elections.
That means that people can vote and choose you
to make decisions in Europe.

All people with disabilities
should have the right to vote too.
Their voice counts like everyone else's.

If you live in another country of the European Union,
you have the right to vote or stand for elections in this country
like all other people of this country.
You should not be left out from elections
just because you come from another country.

You can find more information
on the website of the European Union here:
https://ec.europa.eu/info/policies/justice-and-fundamental-rights/eu-citizenship/electoral-rights_en

The European Disability Card

The European Union made the 'European Disability Card'.
This card could make things easier for people with disabilities
when they visit or live in another country
of the European Union.

The card gives people with disabilities some advantages
in culture, sports and other activities.

For example, people with disabilities can use this card
to pay less when they buy tickets for museums
or football matches.

Or people with intellectual disabilities can use this card
and get information that is easy-to-read and understand.

For the moment, only 8 countries in the European Union use this card:

- Belgium,
- Cyprus,
- Estonia,
- Finland,
- Italy,
- Malta,
- Romania
- Slovenia.



That means that the card can be used by people with disabilities
only if they are travelling among these countries.

For example,
a person with disability from Belgium who travels to Italy
can use this card.

You can find more information
on the website of the European Union here:
<http://ec.europa.eu/social/main.jsp?catId=1139>

Problems people with disabilities still face in Europe

The rights we talked about in the previous pages are very important. The European Union has done much work to make things better for people with disabilities.

But there are still many problems that make it hard for people with disabilities to enjoy their rights as all other people.

For example:

- **It is still hard for people with disabilities to travel to another country in the European Union to study or work.**
This is because many things are still not accessible so people with disabilities cannot use them. For examples, many trains and buses may not be accessible, so people with disabilities cannot use them to move around.
- **If you move to another country of the European Union, it may be hard to get the support you need to have a good life in this country.**
This country may take a long time to recognise that you have a disability and accept to give you the help you need.
- **Some people with disabilities have lost their legal capacity.**
That means that they cannot take decisions for their lives. They cannot vote in the elections either. Someone else is taking decisions for them. That is really bad. All people should have the right to decide for their lives.
- **Too many people with disabilities in Europe do not have jobs.**
Without a job, it is hard to be independent and be part of the community. Things are even harder for women with disabilities.





Even if people with disabilities have a job,
they are often paid less than people without disabilities.
This is unfair.

- **The European Union does not always ask for the views of people with disabilities and their organisations, when they make laws and decisions.**
Laws and decisions in Europe concern people with disabilities too, so their voices should be heard.
Things that concern the lives of people with disabilities should be decided together with people with disabilities.
Nothing should be decided for us without us!

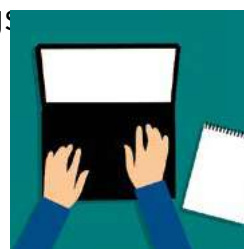


What else should the European Union do to protect people with disabilities?

The European Union should:

- listen to people with disabilities and their organisations.
Nothing should be decided about us without us!
- make sure that people with disabilities are treated fairly and that they have same chances in life like everyone else.
- work to make all things and services in Europe accessible so that people with disabilities can use them like everyone else.
For that, the European Union should make a strong law saying that all things in life should be accessible.

- make sure that all people with disabilities enjoy their rights and have access to health care, jobs, schools and other things.
- make sure that people with disabilities have social security benefits wherever in Europe they decide to live.
- make sure that transport like planes, boats, trains and buses are accessible so that people with disabilities can travel anywhere they want without problems.
- make sure that the European money is spent on things that are accessible for people with disabilities too.



What to do if your rights are not respected

If you feel that your rights are not respected or that you are treated unfairly, it is important to raise your voice!

There are many organisations you can send your complaint to. They can help you deal with the problem you face.

For example:

- You can send your complaint to the people of the European Union by filling this form online here:
https://ec.europa.eu/assets/sg/report-a-breach/complaints_en/
Or you can send your complaint by post in this address:

European Commission
Secretary-General
B-1049 Brussels
Belgium

You can also contact the office of the European Union in your country.

You can find more information here:

https://ec.europa.eu/info/about-european-commission/contact/local-offices-eu-member-countries_en

- You can contact '**Equinet**'.
'Equinet' is an organisation that fights for the right of all people to be treated fairly.
'Equinet' has members in all European countries.
You can find more information on their website here:
<http://www.equineteurope.org/-Equinet-Members>
- If you have problems while travelling by plane, boat, train or bus, there are offices in all countries in Europe that can help you with your complaint.
You can find more information here:
https://ec.europa.eu/transport/themes/passengers/neb_en
- The website of the European Union gives information about the rights of all people in Europe.
You can find more information here:
https://europa.eu/youreurope/citizens/index_en.htm
- You can always contact us at EDF.
We can advise you on your rights and help you to find who to contact when you have a complaint.
You can send us an email at: **info@edf-feph.org**.

You can also contact our members.
We have members in almost all European countries.
You can find a list of our members here:
<http://edf-feph.org/about-us/members/full-member>

ABOUT EDF

The European Disability Forum is an independent organisation that defends the interests of 80 million Europeans with disabilities. We bring together representative organisations of persons with disabilities from across Europe. We are run by persons with disabilities and their families. We are a strong, united voice of persons with disabilities in Europe.

Introduction

This booklet presents your rights as a person with disabilities in the European Union (EU). It will help you understand how the EU works (part 1), the history and development of rights of persons with disabilities in the EU (part 2), and what rights you have under EU law (parts 3 and 4). In a situation where your rights are breached, or you would like some more information, this booklet provides a list of the agencies that you can reach out to (part 5). Finally, it also explains the challenges that remain for persons with disabilities (part 6).

The European Disability Forum was created in 1997, to make sure that persons with disabilities have a say in decisions at the European and international level.

In collaboration with its member organisations, EDF defends the rights of persons with disabilities from all over Europe. We promote the inclusion of persons with disabilities in Europe. EDF advocates that all people should have the right to be treated equally, have the same opportunities in life, make their own choices, take part in the community, and choose where and with whom they want to live.

This booklet is a contribution to celebrate the 20th Anniversary of EDF and present the progress made in EU law and policy relevant to persons with disabilities, by comparing the situation before and after 1997, the year in which EDF was founded.

Part 1

What is the European Union?



As a European citizen or person living in an EU country, you have the right to know how EU laws and policies are being made. But what is the EU, which decisions can it make, and how does the EU make these decisions?

European Union and its institutions


The European Union is a unique economic and political union between 28 European countries, known as 'Member States'. Decision making at the EU level involves the following institutions:

- the European Council,
- the European Commission,
- the European Parliament, and
- the Council of the European Union.

The European Council is the EU institution that defines the general political direction and priorities of the European Union. It consists of the Heads of State or Government of the Member States, together with the President of the European Council and the President of the European Commission.

The European Commission is the executive arm of the EU. It proposes new laws, manages EU policies, allocates EU funding, and promotes the general interest of the EU. It is also named as the "guardian of the treaties" as it monitors if the EU Member States apply EU law correctly. The political leadership is provided by a team of 28 Commissioners (one from each EU country) - led by the Commission President. The day-to-day running of Commission business is performed by its staff, organised into departments known as Directorates-General (DGs), each responsible for a specific policy area.

The European Parliament and the Council of the European Union are responsible for adopting legislation and making policy decisions, based on proposals from the European Commission.



The European Parliament is composed of politicians from each Member State, called Members of the European Parliament (MEPs). They are directly elected by EU voters every 5 years. Members of Parliament may ask the Commission questions to influence policy issues. Parliament's work comprises two main stages:

1. Committee stage: where smaller groups of MEPs discuss specific issues and prepare legislation and
2. Plenary - these are meetings of all MEPs, where they vote on legislation and agree on policies.

The **Disability Intergroup of the European Parliament**¹ is an informal grouping of MEPs from all nationalities, and most political groups, who are interested in promoting disability policy in their work at the European Parliament and at the national level.

The Council of the European Union coordinates Member States' policies in specific fields such as employment, education, economic and fiscal policies. It is composed of government ministers from each EU country, according to the policy area being discussed. The EU Member States share the presidency, which rotates every 6 months. For example, in the first half of 2018, Bulgaria held the presidency, followed by Austria from July to December 2018, Romania from January until June 2019 and Finland from July and December 2019.

If you would like to know when your country holds the EU presidency, please check on the **Council's webpage**².

There are also several committees which give policy advice at the EU level. The most relevant ones, which work on the rights of persons with disabilities are:

- The European Economic and Social Committee (EESC), which represents employers, trade unions and other groups such as professional and community associations, youth organisations, women's groups, organisations of persons with disabilities, consumers, environmental campaigners, and other groups of Europeans.
- The Committee of the Regions (CoR), which ensures that the voice of local and regional government is heard. It is composed by mayors, city councillors and other local government representatives.

Consultation of the EESC and the CoR by the Commission or the Council is mandatory in certain cases; in others, it is optional. The EESC may, however, also issue statements on certain issues by its own initiative. They are called opinions. Its opinions are then sent to the Council, the European Commission, and the European Parliament for their consideration.

When can the EU make laws?

The European Union is based on the rule of law. Every action of the EU is founded on treaties that have been approved voluntarily and democratically by all Member States. Treaties lay down the objectives of the European Union, the rules of the EU institutions, how decisions are made and the relationship between EU and Member States. The European Union is defined by two treaties: The Treaty on the European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU). For more information, please visit **the online repository of EU treaties**³.

¹ Website: <http://edf-feph.org/disability-intergroup-european-parliament>

² <http://www.consilium.europa.eu/en/council-eu/presidency-council-eu/>

³ <https://eur-lex.europa.eu/collection/eu-law/treaties.html>.

The Treaties explain in which policy areas the EU can pass laws, and which policy areas remain the responsibility of the member states. For a limited number of policy areas, the EU has the exclusive power to make laws (internal market, monetary union, etc.). For most policy areas, the EU shares this power to make laws with the Member States (social policy, consumer protection, transport, etc.). In a third category, the EU can only support the member states' actions and initiatives through funding, research, and sharing of good practices (tourism, education, culture, etc.).

How are EU laws made?

The European Commission proposes new initiatives of EU law and policy. The European Parliament and the Council of the European Union review these proposals and can propose changes to the text, called amendments. Once an agreement is reached, the proposal is adopted (approved) by both the European Parliament and the Council of the European Union. The Member States and the Commission then implement the decisions taken.

Types of Laws

At the European Union level, there are different types of laws and legal actions. In some cases the Member States are forced to act ("Regulations" and "Directives"), in others it's optional ("Recommendations", "Opinions", and "Communications").

Regulations automatically become national law. Directives require the Member States to translate or 'transpose' it into national law.

For example, the **Regulation on the rights of persons with disabilities to travel by air**⁴ needs to be applied in all European Union countries in the same way as it is written.

A "Directive" must be incorporated into the national legal framework but allows countries to decide on how they wish to implement the law. For example, the **"Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation"**⁵ was implemented differently in all the member states.

"Communications" are policy documents that explain the position of the EU on certain issues. For example, the **European Commission's Communication on the European Disability Strategy 2010-2020: A Renewed Commitment to a Barrier-Free Europe**⁶ sets the long term position and goals of the EU regarding disability.

Finally, "Recommendations" and "Opinions" are policy documents that are not binding for the EU countries but have political weight.

⁴ Regulation (EC) No 1107/2006 of 5 July 2006 concerning the rights of disabled persons and persons with reduced mobility when travelling by air <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32006R1107>

⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32000L0078&from=EN>

⁶ <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0636:FIN:en:PDF>

Part 2

Before and after 1997: a turning point for the rights of persons with disabilities in Europe

The European Commission adopted a landmark European disability action programme, known as Helios II, in the period 1993-1996. Contrary to its predecessors, Helios 0 and Helios I, this programme had a formal, established way to consult persons with disabilities and their representative organisations. This so-called “consultative body” was composed of 12 national councils of persons with disabilities, one from each member state at the time. They were selected by the European Commission. The body supported the setting of the programme’s priorities and the coordination of the programme.

However, the body was limited in its work and functioning. The organisations of persons with disabilities in Europe then realised the importance of building an independent organisation. As a result, the European Disability Forum was created in 1997.

1997 marked another important turning point in the European disability policy. For the first time, the EU agreed that disability should be referred to in its treaties. When the Amsterdam Treaty was adopted the EU received the power to combat discrimination based on disability, among other grounds of discrimination such as sex, racial or ethnic origin, religion or belief, age or sexual orientation. (Article 19 of Treaty on the Functioning of the European Union (TFEU)).



Part 3

The EU framework on the rights of persons with disabilities

In the development of EU initiatives on the rights of persons with disabilities, these overarching legal and policy frameworks are important to consider:

UN Convention on the Rights of Persons with Disabilities

The United Nations Convention on the Rights of Persons with Disabilities (the CRPD) is an international human rights treaty that spells out that all persons with disabilities must enjoy all human rights and fundamental freedoms. It clarifies that all persons with disabilities have the right to participate in the civil, political, economic, social, and cultural life of the community, just as anyone else. The Convention says what public and private authorities must do to ensure and promote the full enjoyment of these rights by all people with disabilities.

The Convention was adopted in 2006 by the United Nations and became the world's most quickly ratified human rights treaty. It was also the first international human rights treaty ratified not only by countries but also by a regional organisation – the European Union.

All EU Member States and the European Union have ratified this important legal framework. By participating in the Convention, the EU is committed to implementing and promoting the full realisation of all human rights for all persons with disabilities through the adoption of new political tools (legislation, policies, and programmes), and the review of existing policies to make sure they respect the human rights of persons with disabilities.


European Charter of Fundamental Rights

The Charter of Fundamental Rights of the European Union (the Charter) brings together the fundamental rights of everyone living in the EU. The Charter is legally binding in the EU. It means that all the institutions and bodies of the EU, including national governments, need to respect the rights contained in the Charter when drafting EU law and policy. At the national level, policymakers should respect the Charter when implementing EU law.

The Charter states that “the EU recognises and respects the right of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration, and participation in the life of the community” (article 26). It also prohibits any discrimination on the basis of disability (article 21).

European Disability Strategies

The European Commission has adopted various strategies related to disability policy, including a list of concrete actions and a timetable on advancing the rights of persons with disabilities.



The European Disability Strategy was adopted in 1996 and laid the foundation for future disability law and policy initiatives. This first Strategy was aimed at identifying and removing all barriers to equal opportunities and achieving full participation for persons with disabilities in all aspects of life.

In 2003, the European Disability Action Plan was adopted as a follow up to the 1996's Strategy.

To help implement the CRPD, the Commission adopted the European Disability Strategy 2010-2020, which focuses on eliminating barriers in eight main areas: accessibility, participation, equality, employment, education and training, social protection, health, and external action. For more information, please visit the **European Commission's website**.⁷

European Structural and Investment Funds

The EU provides funding for a broad range of projects and programmes covering areas such as: regional and urban development, employment and social inclusion, agriculture and rural development, maritime and fisheries policies, research and innovation, and humanitarian aid.

The European Structural & Investment Funds (ESIF) are the second biggest part of the EU budget. For 2014-2020, these Funds aim, amongst others, to improve accessibility, fight poverty and social exclusion, and increase education and employment opportunities for persons with disabilities in the EU.

The **Common Regulation of the ESIF**⁸ says that when using EU money, EU Member States cannot discriminate against persons with disabilities and should ensure accessibility. These two conditions (non-discrimination and accessibility) need to be fulfilled in the preparation and implementation of the funds. Representative organisations of persons with disabilities need to be consulted, involved and should receive support. In addition, more rules need to be followed when using money from specific EU funds such as the European Social Fund, European Regional Development, etc. These rules promote the rights of persons with disabilities, and include a prohibition on using these funds to finance institutional care.

⁷ <http://ec.europa.eu/social/main.jsp?catId=1137>.

⁸ Regulation (EU) No 1303/2013 of 17 December 2013: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32013R1303/>

Timeline of landmarks



1997	European Disability Forum is founded
1997	The EU treaties include a reference to the rights of persons with disabilities
2000	Adoption of EU Equal Treatment in Employment Directive, protecting persons with disabilities against discrimination in employment and occupation
2001	Adoption of EU Buses and Coaches Directive, making mandatory that all new urban buses ensure accessibility for persons with disabilities
2003	The first European Year of Persons with Disabilities is celebrated, and the first European Action Plan on Disability is adopted for 2003-2010
2006	Adoption of the EU Regulation on the rights of persons with disabilities and persons with reduced mobility when travelling by air
2007	EU signs the UN Convention on the Rights of Persons with Disabilities
2007	Adoption of the EU Regulation on rail passengers' rights and obligations with references to the rights of persons with disabilities and persons with reduced mobility
2010	The European Disability Strategy 2010-2020 is adopted
2010	Adoption of the EU Regulation concerning the rights of passengers when travelling by sea and inland waterway with references to the rights of persons with disabilities and persons with reduced mobility
2011	Entry into force of the UN Convention on the Rights of Persons with Disabilities at the EU level
2011	Adoption of the EU Regulation concerning the rights of passengers in bus and coach transport with references on the rights of persons with disabilities and persons with reduced mobility
2012	Adoption of Directive establishing minimum standards on the rights, support and protection of victims of crime
2013	Erasmus+ provides students with disabilities with additional financial support to cover disability-related expenses when studying or following a training in another EU country.
2014	Adoption of the pre-conditions on de-institutionalisation, accessibility and non-discrimination in the regulation on the European Structural and Investment Funds
2016	Adoption of the Directive on the accessibility of the websites and mobile applications of public sector bodies
2018	All EU countries are part of the UN Convention on the Rights of Persons with disabilities.

Part 4

What are your rights in the EU?



The EU treaties guarantee fundamental rights to all EU citizens – that means to people with the nationality of a Member State of the European Union:

- **Free movement of persons:** All citizens of an EU Member State have the right to travel, work, study, and live in another Member State.
- **Free movement of goods:** Goods produced in one EU Member State can be sold in another Member State, under certain conditions.
- **Free movement of services:** All citizens have the right to provide and receive services in another Member State.
- **Free movement of capital:** Capital movement and payments cannot be restricted across Member States. For EU citizens, this means, for example, the ability to open bank accounts abroad or purchase property such as land, houses, or buildings in another EU country.

Considerable progress has been made since 1997 to facilitate the freedom of movement of persons with disabilities. In this section, you can read the main benefits and advantages that persons with disabilities enjoy today in the EU.

Besides freedoms that apply to all EU citizens, EU laws also grant rights that may benefit people living or travelling in EU countries who are not EU citizens.

Passengers' rights

If you travel by air, train, boat or coach (long distance bus), you have the following rights:

Right to assistance

Persons with disabilities or reduced mobility have the right to assistance free of charge in all transport modes mentioned above. You have this right even if your disability is not immediately obvious to other people. Pre-booking your assistance is **not obligatory**, but it is recommended to give a 48 hour notice for air, train and boat travel, and a 36 hour notice for coach travel to ensure that assistance is ready and to avoid long waiting times.

If you do not pre-book, the carrier (for example, the train company) must make "reasonable efforts" to assist. They also cannot refuse reservation or boarding based on disability, unless it is for "safety reasons" or the hold of the vehicle is too small to fit mobility equipment. They are also not allowed to ask for a proof of disability.

When you travel by coach or boat, you are entitled to travel with an accompanying person of your choice free of charge if the carrier obliges you to be accompanied for "safety reasons" and would otherwise not let you travel. This means that this person, which you choose yourself, will not have to pay to accompany you.



Air travel

If you are denied boarding, face delays of over 3 hours, or your flight is cancelled or overbooked, you can choose between being taken to your destination through different means (another flight connection, for example) or having your ticket refunded, unless the cause of the delay or cancellation was outside the control of the air company.

If you are denied boarding, your flight is cancelled or arrives at its destination more than 3 hours late, you may be entitled to compensation of between 250 euro to 600 euro - under certain conditions and depending on the distance of the flight.

For more information consult the **EU air passenger rights website**⁹ and the section on air travel of the **EU rights of passengers with reduced mobility's website**¹⁰.



Rail travel

If your train is delayed by more than 1 hour, you have the choice between a ticket refund, continuing your journey on the same train, or alternative transport to your destination. If you choose to stay on the train, you are entitled to compensation - either 25% or 50% of the cost of your ticket, depending on the length of the delay - unless the cause of the delay was outside the control of the railway.

Please consult the **EU Rail passenger rights website**¹¹ and the section on train travel of the **EU rights of passengers with reduced mobility's website**¹².

⁹ https://europa.eu/youreurope/citizens/travel/passenger-rights/rail/index_en.htm

¹⁰ https://europa.eu/youreurope/citizens/travel/transport-disability/reduced-mobility/index_en.htm

¹¹ https://europa.eu/youreurope/citizens/travel/passenger-rights/rail/index_en.htm

¹² https://europa.eu/youreurope/citizens/travel/transport-disability/reduced-mobility/index_en.htm



Coach travel

If the long-distance service (more than 250km) you are booked for is cancelled or departure is delayed for more than 2 hours, you can get a refund for your ticket or you can be transported to your destination at the earliest opportunity, and at no extra cost. If you are not offered this choice at the time, you can later complain and claim a refund for the ticket, plus compensation worth 50% of the ticket price.

For more information please visit the **EU Bus and Coach Passenger Rights website**¹³ and the section on bus travel of the **EU rights of passengers with reduced mobility's website**¹⁴.

Boat travel (except cruises and leisure boats)

If the service is cancelled or departure is delayed for more than 90 minutes, you can either get a refund for your ticket and where necessary a free return journey back to your initial departure point, or you can be transported to your destination at the earliest opportunity, and at no extra cost. If your trip's arrival at the destination is delayed by more than 1 hour, you are entitled to compensation (25% - 50%).

For more information, please visit the **EU Ship Passenger Rights website**¹⁵ and the section on ship travel of the **EU rights of passengers with reduced mobility's website**¹⁶.

For all four modes of transport, you may also be entitled to refreshments, meals, communications (such as free phone calls) and an overnight stay, depending on the travel distance and length of delay.

For more information, please visit **Your Europe - Passengers' Rights**¹⁷.

National Enforcement Bodies (NEB) have been established to support passengers claim their rights. Passengers can contact the NEBs if they have problems while traveling by air, train, coach, or boat, or if the companies fail to reply when the passenger has lodged a complaint. For more details, please see part 5 of this booklet.

EU parking card for people with disabilities

If you have a disability that leads to reduced mobility, you might be entitled to a disability parking card, which should be recognised in all EU countries.

This EU parking card will give you access to a number of parking rights and facilities depending on the country you are visiting.

You should get your parking card from the **relevant authority in the country you live in**¹⁸.

You should display the card in a prominent place at the front of the vehicle.

Additionally, when using your card in another EU country, you may display the free-standing notice next to it, showing the side with the language(s) spoken in the country you are visiting.

¹³ https://europa.eu/youreurope/citizens/travel/passenger-rights/bus-and-coach/index_en.htm

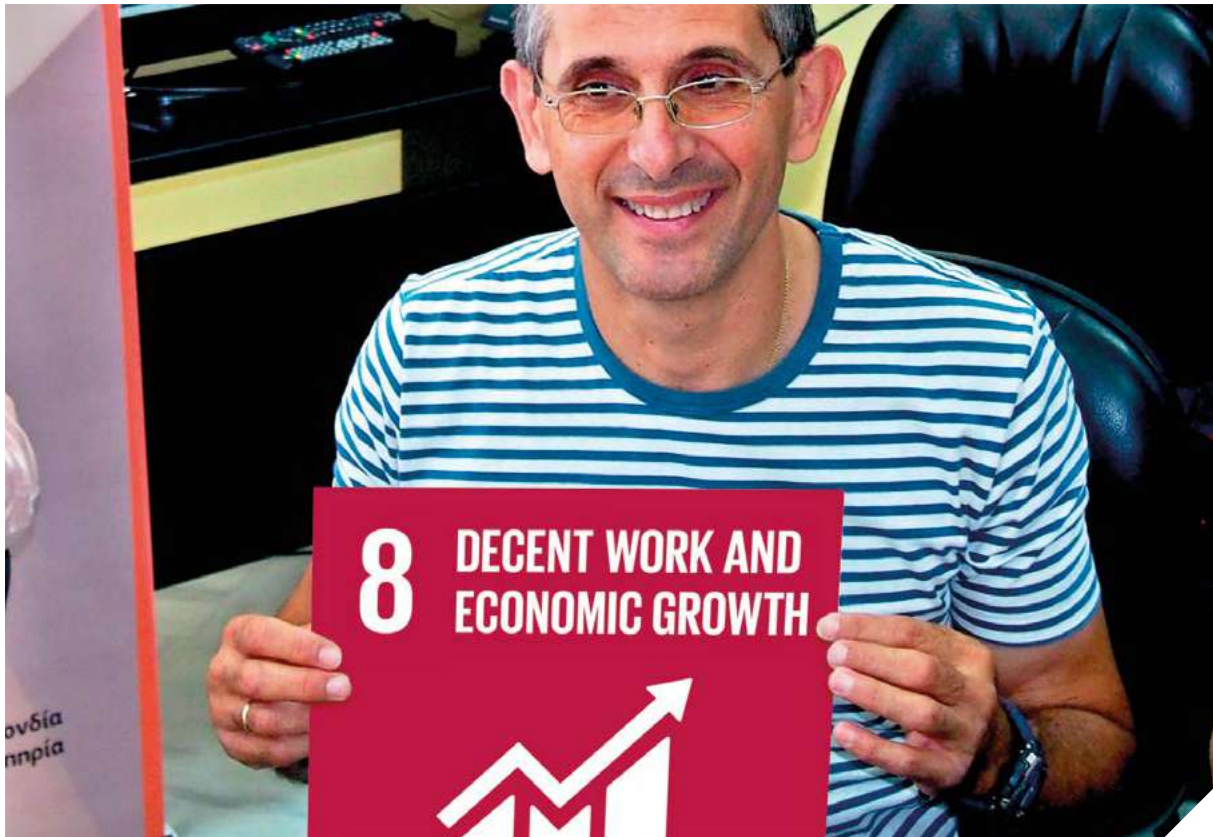
¹⁴ https://europa.eu/youreurope/citizens/travel/transport-disability/reduced-mobility/index_en.htm

¹⁵ https://europa.eu/youreurope/citizens/travel/passenger-rights/ship/index_en.htm

¹⁶ https://europa.eu/youreurope/citizens/travel/transport-disability/reduced-mobility/index_en.htm

¹⁷ https://europa.eu/youreurope/citizens/travel/passenger-rights/index_en.htm

¹⁸ https://europa.eu/youreurope/citizens/travel/transport-disability/parking-card-disabilities-people/index_en.htm



Employment and equal treatment

Persons with disabilities are protected against discrimination when they work or have work-related training, especially regarding pay and working conditions, and membership in organisations of workers or employers. EU legislation also protects persons on the grounds of their sex, race, age, sexual orientation, and religion. The employer is obliged to provide reasonable accommodation. This means that the employer must take measures to adapt the work place to an employee with disabilities, such as removing physical barriers by installing ramps, facilitating access of visually impaired employees to information technologies, or altering working times to accommodate the needs of workers with disabilities. Failure to provide reasonable accommodation constitutes discrimination.

For further reading, please consult the **Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation**¹⁹.

If you have been discriminated in access to employment, please check part 6 of the guide to know who can help you.

As a EU national - someone that has a passport of a EU country - you have the right to work in another EU country without a work permit. You have the same rights as nationals of the host country regarding access to work, assistance from employment services, and financial support to help you find work. For more information, please visit the European Commission's website **"Working in another EU country"**²⁰

You can find job vacancies in other EU countries on the **European jobs portal EURES**²¹.

¹⁹ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32000L0078&from=EN>

²⁰ <http://ec.europa.eu/social/main.jsp?catId=25&langId=en>

²¹ <https://ec.europa.eu/eures/public/en/homepage>

Accessing social security benefits

When moving within the EU, you only pay social security contributions in one country at a time. Generally, you will also receive social security benefits exclusively from this country.

The EU has rules on social security coordination. This doesn't mean that there is a single European social security system. It means that you can receive you're a country can pay your social security benefits even if you don't live there. All countries are free to decide who is to be insured under their legislation, which benefits are granted, and under what conditions.

These four principles apply when you live, study, or work in another EU country:

- You are covered by the social security legislation of one country at a time - you only pay contributions in one country.
- You have the same rights and obligations as the nationals of the country where you are covered (where you pay contributions).
- When you claim a benefit, your previous periods of insurance, work, or residence in other countries are taken into account if necessary.
- If you are entitled to a cash benefit from one country, you may generally receive it even if you are living in a different country.

For more information, please consult the **Commission's webpage on social security coordination**²² and the **Regulation 883/2004 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community**²³.

Higher education and traineeships abroad

As a EU national, you are allowed to study at any EU university under the same conditions as nationals of that country. You may not be refused access to training or education in another EU country on the grounds of your nationality.

When you go to a university in another EU country, you are entitled to pay the same course fees as nationals of that country. Another possible source of funding for spending part of your studies abroad is the EU's Erasmus+ programme.

Erasmus+ promotes and supports studying, training, and volunteering in another EU country. As a participant with disability, you can ask for an additional grant to cover the disability related expenses such as medical attendance, travel assistance, an accompanying person for students and staff with disabilities, and adapted accommodation. You should also benefit from the support services that the institution that will receive you offers to its local students and staff.

For more information, visit the **European Commission's webpage on Erasmus+**²⁴, and the **Regulation (EU) No 1288/2013 of 11 December 2013 establishing 'Erasmus+': the Union programme for education, training, youth and sport**²⁵.

The European Solidarity Corps is an EU initiative which creates opportunities for young

²² <http://ec.europa.eu/social/main.jsp?catId=849&langId=en>

²³ <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:166:0001:0123:en:PDF>

²⁴ https://ec.europa.eu/programmes/erasmus-plus/opportunities/individuals/physical-mental-conditions_en

²⁵ <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:166:0001:0123:en:PDF>

people between the ages of 17 and 30 to volunteer or work on projects in their own country or abroad for up to a year.

For more information, visit the **European Solidarity Corps**²⁶ website, and the **EU Youth Guarantee webpage**²⁷.

Accessing justice and your rights as a victim of offences

Victims of crime and other offences in the EU can receive protection, support, and access to justice under EU law and have the right:

- to understand and to be understood: all communication with victims must be provided in a simple and accessible language. The form of communication must be adapted to the specific needs of every victim (nationality, any disability, age, language).
- to information: national authorities give victims a range of information concerning their rights, their case, and the services and assistance available to them. The information must be given from the first contact with a competent authority and without delay.
- to support: access to support services free of charge that can also be confidential. Support must include both general support services and specialist support services such as shelters, trauma support, and counselling, specifically adapted to different types of victims.
- to participate in criminal proceedings:
 - right to be informed if the alleged offender will not be prosecuted and have the right appeal if they do not agree with the decision.
 - right to compensation. If restorative justice proceeding is used in the national system, there are now safeguards in place to ensure victims' safe participation.
- to protection and to individual assessment: victims must be protected from both the offender and from risk of further harm by the criminal justice system itself. The protection needs are based on an individual assessment.

For further reading, please see the **Commission's webpage on victim's rights**²⁸, and the **Directive 2012/29/EU of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime**²⁹.

Your rights as suspect or accused of an offence

Persons who are suspected or accused of an offence also have rights that must be respected in all EU countries:

- the right to information,
- the right to interpretation and translation,
- the right to have a lawyer,
- the right to be presumed innocent and to be represented at trial, and,

²⁶ https://europa.eu/youth/solidarity_en

²⁷ <http://ec.europa.eu/social/main.jsp?catId=1079>

²⁸ https://ec.europa.eu/info/policies/justice-and-fundamental-rights/criminal-justice/victims-rights_en

²⁹ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32012L0029&from=EN>

- the right to legal aid. There are also **special safeguards for children suspected and accused in criminal proceedings**.³⁰ For instance, children who are suspects or accused in criminal cases have the right to an individual assessment that identifies their specific needs in terms of protection.

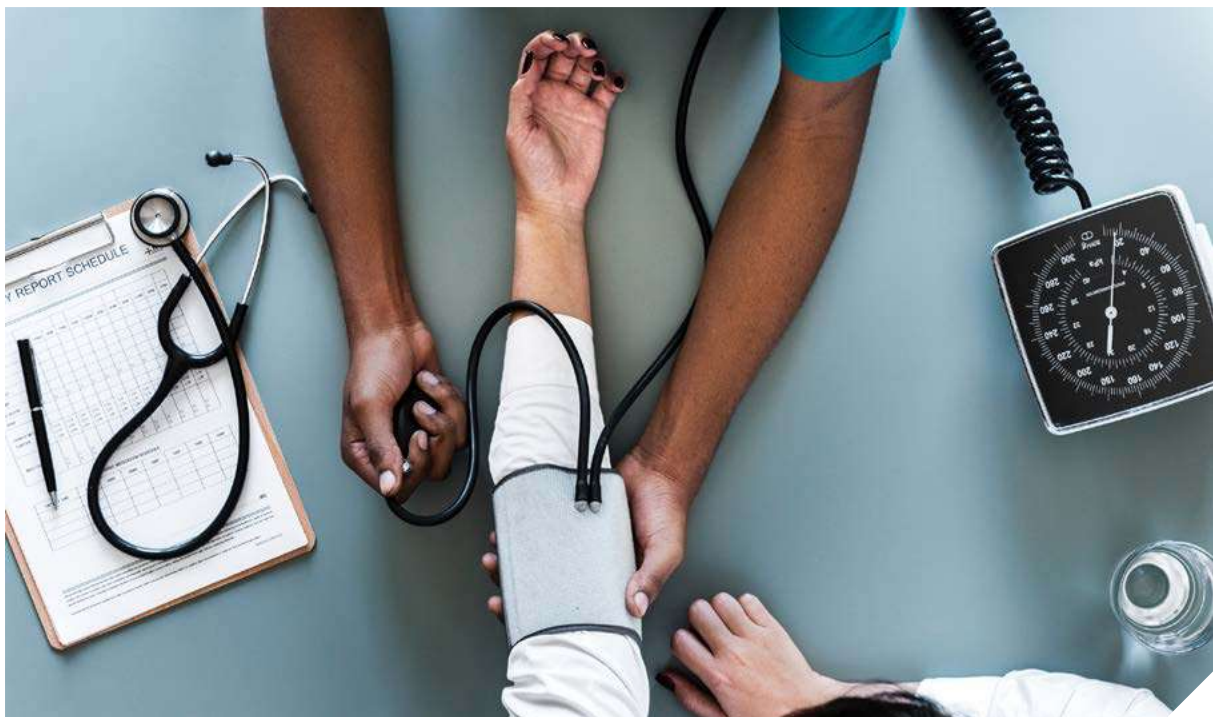
For further reading, please see the Commission's webpage on **rights of suspect and accused**.³¹

Getting health care abroad

As a patient in the EU, you can seek medical treatment in another EU country and may be entitled to have the costs of your treatment reimbursed by your home country. It covers healthcare costs, prescription and delivery of medications, and medical devices. The reimbursement will be up to the costs of that treatment in your country. In the EU countries where care is free, patients need to be informed about their reimbursement.

You have the following rights:

- If you are entitled to a treatment in your home country, then you have a right to be reimbursed when you receive it in another country.
- Your level of reimbursement will be up to the costs of that treatment in your home country. If the treatment is cheaper abroad, the reimbursement will reflect the real price of the treatment.
- You may choose either a public or private healthcare provider.
- For some treatments (certain in-patient or highly specialised services) you may be required to get authorisation from your own health system before receiving the treatment abroad.



³⁰ <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1503680152962&uri=CELEX:32016L0800>

³¹ https://ec.europa.eu/info/policies/justice-and-fundamental-rights/criminal-justice/rights-suspects-and-accused_en#designingcriminallaw

- You have the right to be informed by the country of the reimbursement tariffs.
- If you are facing a medically unjustifiable waiting time for treatment at home, then authorisation must be granted. In this case, you may even be entitled to a higher level of coverage for your healthcare costs.

In some cases, you need to ask a prior authorisation:

- Healthcare which involves overnight hospital stay
- Highly specialised and cost-intensive healthcare
- Serious and specific cases relating to the quality or safety of the care provider by the provider itself.

You can ask permission in advance from the national health authority in charge of reimbursement. Member states are required to set out publicly which treatments are subject to such authorisation.

For more information, please contact your national contact point and visit the **European Commission webpage on cross border care**³², **guide on patients' rights**³³, and the **Directive 2011/24/EU on patients' rights in cross-border healthcare**³⁴.

Shopping abroad

You are protected under EU law when shopping in another EU country. This includes protection on the several stages of the purchase.

Contracts

Wherever you buy a product or service in the EU, the seller must provide you with clear, correct, and understandable information about the product or service before you make the purchase. Contracts must be written in plain and understandable language and cannot contain unfair contract terms.

For more information, please see the **EU's webpage on contract information**³⁵.

Pricing

As an EU national you can't be charged a higher price when buying products or services just because of your nationality or country of residence. Some price differences can be justified, if they are based on objective criteria other than nationality. When you buy goods or services in the EU, you must be clearly informed about the total price, including all taxes and additional charges. Sellers in the EU are not allowed to charge you extra for using your credit or debit card.

EU rules on pricing also apply when you buy travel tickets, such as flights or train tickets, either online or in person. This means that when you buy your tickets, all taxes, fees, and charges must be included and appear in the total price from the beginning of the booking

³² https://ec.europa.eu/health/cross_border_care/policy_en

³³ https://ec.europa.eu/health/sites/health/files/cross_border_care/docs/cbhc_leaflet_en.pdf

³⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32011L0024>

³⁵ https://europa.eu/youreurope/citizens/consumers/shopping/contract-information/index_en.htm

process. This makes it easier for you to compare prices with other travel operators. Any optional supplements (such as travel insurance) must be clearly indicated as such and suggested only on an opt-in basis.

For more information, please see the **EUs webpage on pricing**³⁶.

Returns

Under EU rules, a seller must repair, replace, reduce the price or give you a refund if goods you bought turn out to be faulty or do not look or work as advertised. If you bought a good or a service online or outside of a shop (by telephone, mail order, from a door-to-door salesperson), you also have the right to cancel and return your order within 14 days, for any reason and with no justification.

For more information, please see the **EUs webpage on returns**³⁷.

You can also read the **Directive 2011/83/EU of 25 October 2011 on consumer rights**³⁸.

Accessibility of public and private services

Digital information of public sector bodies

Under EU law, EU Member States are obliged to ensure that all public-sector bodies' websites and mobile applications are accessible, such as those from your city council or ministry of justice. The law allows for better access to the websites and mobile applications of public services – with a number of exceptions (e.g. broadcasters, livestreaming). It also requires that the websites and mobile apps of the public sector include a feedback mechanism, for the users to request an accessible alternative when some content is not accessible. This feedback mechanism can be a form, e-mail address, etc. They must display a document (webpage or other) with information on the accessibility of the website or the mobile app. All websites have to be accessible by 23 September 2020. All mobile applications have to be accessible by 23 June 2021.

There should also be a national public body responsible for web and mobile accessibility, which users can reach if the website or app owners do not respond to their feedback. The Member States also need to monitor and report on accessibility of public sector websites and mobile apps by Member States. These reports must be public.

For more information, please consult the **Directive 2016/2102 of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies**³⁹.

You can learn more details about how this legislation should be put into national legislation and practice in the **EDF toolkit on transposition of the Web accessibility Directive**⁴⁰.

³⁶ https://europa.eu/youreurope/citizens/consumers/shopping/pricing-payments/index_en.htm

³⁷ https://europa.eu/youreurope/citizens/consumers/shopping/guarantees-returns/index_en.htm

³⁸ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32011L0083&qid=1403274218893>

³⁹ <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A32016L2102>

⁴⁰ http://www.edf-fehp.org/sites/default/files/final_edf_web_and_apps_directive_toolkit_may_2017_0.pdf



Electronic communication

The EU electronic communication rules ensure that persons with disabilities enjoy equivalent access and choice to telephony (landline, mobile telephones, etc.). The providers need to provide relevant assistive technologies and services to persons with disabilities, such as interpreting services and relay services, so everyone can communicate on an equal basis.

You can also call the European emergency number 112 from any type of phone, wherever you are in Europe. It also should guarantee that the access for persons with disabilities to emergency services is equivalent to that enjoyed by other persons.

For more information, please consult the webpage on **EU rules on 112**⁴¹.

Audiovisual Services

EU legislation ensures that audio-visual media service providers, meaning public or commercial TV channels and services of video on-demand (such as Netflix), make their services gradually more accessible to persons with disabilities. This means that there must be more subtitles for the deaf and hard of hearing, audio description, sign language interpretation, and audio subtitles on European broadcasted audio-visual content.

For more information, consult the Commission's webpage on the **Audiovisual Media Service Directive**,⁴² and the **Directive 2010/13/EU of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive)**⁴³.

This Directive is currently open to review. Once it is adopted by the Parliament and the Council, EU Member States will have 21 months to adopt it into national legislation. The implementation of the accessibility provisions will depend on each Member State.

⁴¹ <https://ec.europa.eu/digital-single-market/en/eu-rules-112>

⁴² <https://ec.europa.eu/digital-single-market/en/policies/audiovisual-media-services>

⁴³ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32010L0013&from=EN>



Electoral rights

All EU citizens have the right to vote for and stand as a candidate in European Parliament elections in their country of origin, or if they live in another EU country, they may choose to vote and stand as a candidate, under the same conditions as the nationals of that country.

EU citizens who live in another EU country also have the right to vote and stand as candidate in local or municipal elections in the country they live in, again under the same conditions as the nationals of that country.

For more information, please visit **Commission's webpage on electoral rights**⁴⁴.

EU Disability Card

The European Disability Card (previously known as the European Mobility Card) is a pilot project of the European Commission. It was launched in 2013 and currently runs in eight EU countries: Belgium, Cyprus, Estonia, Finland, Italy, Malta, Romania and Slovenia.

The aim of the Card is to facilitate travelling to another Member State for persons with disabilities. This card will allow persons with disabilities to access certain discounts for culture, leisure, sport, and transport under the same conditions as the nationals with disabilities of that country. The Card is a pilot project at the moment this booklet was published.

For up to date information, check the European Commission's website on the **EU Disability Card**⁴⁵

⁴⁴ https://ec.europa.eu/info/strategy/justice-and-fundamental-rights/eu-citizenship/electoral-rights_en.

⁴⁵ <http://ec.europa.eu/social/main.jsp?catId=1139>

Part 5

Defending your rights and seeking redress

What happens if you cannot exercise your EU rights? Or if you are discriminated against? In this part, you can find some avenues for finding a solution or seeking redress.

It is important to file a complaint when you are discriminated against. This may help in seeking redress. This will also allow policymakers at the national and EU level to have a better understanding of the extent to which persons with disabilities face discrimination in daily life.

Equinet

European Network of Equality Bodies brings together 46 organisations from 34 European countries, which are empowered to counteract discrimination across a range of grounds including age, disability, gender, race or ethnic origin, religion or belief, and sexual orientation.

Equinet's members, called equality bodies, are national institutions that raise awareness, promote equality and often handle complaints when an individual is discriminated against.

You can find the name and contact details of the equality body in your country in the **European Directory of Equality Bodies**⁴⁶:

CONTACT DETAILS:

138 Rue Royale/Koningsstraat
1000 Brussels

Tel: +32 2 212 3182

Email: info@equineteurope.org

European Directory of Equality Bodies: <http://www.equineteurope.org/-Equinet-Members->



National Enforcement Bodies (NEBS) for Passengers' Rights

EU rules oblige Member States to create "national enforcement bodies," whose role is to verify that transport operators are treating all passengers in accordance with their rights. Passengers who believe their rights under the regulation have not been respected should contact the body in the country where the incident took place. There is a specific NEB for each of the Regulations on passengers' rights.

For more information, you can consult the list of **National Enforcement Bodies**⁴⁷.

⁴⁶ <http://www.equineteurope.org/-Are-you-a-victim-of-discrimination.>

⁴⁷ https://ec.europa.eu/transport/themes/passengers/neb_en

Your Europe

The European Commission's website 'Your Europe' provides advice for EU nationals and their families on travel, work and retirement, vehicles, residence formalities, education and youth, health, family, and consumers.

For more information, please visit the **Your Europe website**⁴⁸.

Europe Direct

Information in all the official languages of the European Union is available on the **Europe Direct website**⁴⁹.



European Citizen Action Service – Your Europe Advice

Your Europe Advice is an EU advice service provided by legal experts from the European Citizen Action Service. It consists of a team of about 60 lawyers who cover all 24 official EU languages and are familiar both with EU law and national laws in all EU countries. Your Europe Advice replies to questions from citizens or businesses on their personal EU rights. The experts respond to the questions within one week, free of charge and in the language chosen by the user. Enquiries can be submitted either via **an online form**⁵⁰ or by phone (00 800 6 7 8 9 10 11).

CONTACT DETAILS:

European Citizen Action Service
77, Avenue de la Toison d'Or
B-1060 Brussels, Belgium

Tel: +32 (0) 2 548 04 90

Email: info@ecas.org



European Commission

If you think your national government breached EU law, you can complain to the Commission. They have a special part of their website with all the information.

Homepage: <https://ec.europa.eu/info/about-european-commission/contact/problems-and-complaints/>

CONTACT DETAILS:

Secretary-General
B-1049 Brussels
BELGIUM

Fax: +32 2 296 4335



⁴⁸ https://europa.eu/youreurope/citizens/index_en.htm.

⁴⁹ https://europa.eu/european-union/contact/meet-us_en

⁵⁰ online form can be found on <http://ec.europa.eu/eu-rights/enquiry-complaint-form/splash>

European Ombudsman

The European Ombudsman is an independent and impartial body that holds the EU administration accountable for its actions. The Ombudsman investigates complaints about maladministration in EU institutions, bodies, offices, and agencies. The Ombudsman may find maladministration if an institution fails to respect fundamental rights, legal rules or principles, or the principles of good administration. European Ombudsman can only deal with complaints concerning the EU administration and not with complaints about national, regional, or local administrations, even when the complaints concern EU matters.

CONTACT DETAILS:

1 avenue du Président Robert Schuman
CS 30403
F - 67001 Strasbourg Cedex

Tel. +33 (0)3 88 17 23 13

Fax. +33 (0)3 88 17 90 62

Website: <http://www.ombudsman.europa.eu>



The United Nations Committee on the Rights of Persons with Disabilities

The Optional Protocol to the UN Convention on the Rights of Persons with Disabilities is an additional legal instrument to enforce the CRPD. The Protocol allows individuals and groups of individuals to complain to the CRPD Committee about situations in which their rights under the CRPD are not respected. 22 out of the 28 EU member states have ratified the Optional Protocol. The European Union has not ratified it yet.

For more information on the Optional Protocol and the procedure of the individual communications, please see the **United Nations' webpage**⁵¹.

CONTACT DETAILS:

Office of the United Nations High Commissioner for Human Rights (OHCHR)
Palais Wilson
52 rue des Pâquis
CH-1201 Geneva, Switzerland

Telephone: +41 22 917 9220

Email: InfoDesk@ohchr.org or civilsociety@ohchr.org

⁵¹ Procedure for complaints under the UN Treaty Bodies: <https://www.ohchr.org/en/hrbodies/tbpetitions/Pages/IndividualCommunications.aspx>

Committee of Petitions – European Parliament

The objective of the Committee of Petitions in the European Parliament is to express your fundamental right to petition and to communicate with the European Parliament, as it is provided in the Lisbon Treaty and the EU Charter of Fundamental Rights. You can submit your own petition electronically or on paper, and provide information on petitions already received by the Committee. Your petition and information allow the Parliament to conduct a “reality check” on the way in which EU laws are implemented.

CONTACT DETAILS:

Petition Web Portal:

<https://petiport.secure.europarl.europa.eu/petitions/en/home>



European Court of Justice

The European Court of Justice interprets EU law to make sure it is applied the same way in all countries. The European Court of Justice also settles legal disputes between EU governments and EU institutions. Individuals, companies, and organisations can also bring cases before the Court of Justice if they felt their rights had been infringed by an EU institution.

CONTACT DETAILS:

The European Court of Justice
Boulevard Konrad Adenauer
2925 Luxembourg

Tel + 352 4303 1

Fax: +352 4303 2600

Website: <http://curia.europa.eu/>

Contact Form: http://curia.europa.eu/jcms/jcms/T5_5133/



European Union Agency for Fundamental Rights

The Fundamental Rights Agency is the EU's centre of fundamental rights expertise. The Agency helps to ensure that the fundamental rights of people living in the EU are protected. The Agency has done research and data collection on the rights of persons with disabilities on a range of issues.

For more information: <http://fra.europa.eu/en/theme/people-disabilities>.

CONTACT DETAILS:

European Union Agency for Fundamental Rights
Schwarzenbergplatz 11
A-1040 Vienna, Austria

E-mail: information@fra.europa.eu

Tel: +43 1 580 30 - 0



Council of Europe

The Council of Europe is an international organisation, independent from the European Union, composed of 48 European countries. Its goal is to defend human rights and democracy in Europe. Since its establishment in 1949, the Council of Europe adopted several human rights treaties that also apply to persons with disabilities, such as the European Convention on Human Rights, the European Social Charter, and the Convention on preventing and combating violence against women.

CONTACT DETAILS:

Council of Europe
Avenue de l'Europe
F-67075 Strasbourg Cedex, France

Tel. +33 (0)3 88 41 20 00

Website: <https://www.coe.int/en/web/portal>



European Disability Forum and its members

EDF has member organisations in almost all EU countries that can give you advice on where to go when you have a complaint. You can find the full list of EDF members on the **EDF webpage**⁵². EDF secretariat in Brussels can also advise you with regards to EU law and policy on the rights of persons with disabilities.

You can also consider becoming a member of the representative organisation of persons with disabilities in your country, as to support your rights at both the national and the EU level.



⁵² <http://www.edf-fehp.org/our-members>

Part 6

Looking at the future: remaining challenges and recommendations

Ongoing challenges

As you could read in the chapters above, significant progress has been made for persons with disabilities in the EU in the last two decades. However, much remains to be done so that all persons with disabilities can enjoy their rights as any other EU citizen.

Many of the rights only exist on paper. More action, funding, and enforcement of existing legislation is needed to transform the rights for all persons with disabilities into reality.

Other challenges remain as well. As a person with disabilities in the EU, you cannot move freely within the EU as other persons can. You might face barriers when studying, looking for a job, travelling, purchasing goods and services, or simply accessing information in the EU.

The reasons for these barriers to freedom of movement are many. Mainstream goods and services are not fully accessible yet. Not all trains, buses, or stations are fully accessible and do not allow you to travel without problems throughout the EU. You cannot buy mobility aids and other assistive technologies in any EU country you wish. Some services are also not accessible to you, such as banking services or obtaining travel insurance. In other words, the EU still lacks standardisation and operability of these goods and services in the EU.

It might be difficult to transfer your social security benefits from your home country to the one that you are moving to for work, study, etc.

Even when you move to a different country permanently, you might have difficulties in getting your disability status recognised and you might face additional bureaucratic burdens. For example, young persons with disabilities volunteering or working in another EU country lose their disability allowance when they apply for funding under the EU Youth Guarantee programme.

You might also still face some difficulties when taking a flight, train, boat, or bus even if the EU has extensive legislation on passenger's rights. For example, there is a limit on the responsibility of the carrier and how much compensation you can get for damaged or lost mobility equipment when you travel by plane. It is also not clear how many wheelchair users, guide dogs, and children under 2 years old can take the same flight. As a train passenger, the EU regulation does not specify during which hours you will be provided with assistance. Transport operators are still able to evoke "safety reasons" to deny you boarding.

As a person with a disability, you might have lost your legal capacity, fully or partially. This means that a judge has decided that you cannot act legally and decide for yourself in life. The judge might have appointed someone else to make these decisions for you. You might



not be able to sign an employment contract or a lease, and you might not be able to buy a house, to marry, to go to court, to vote or stand for elections. This will also have an impact on the rights that you should benefit from under EU law. When it comes to voting, persons with disabilities also still face inaccessible voting procedures, including inaccessible polling stations and inaccessible information.

EU law protects you against discrimination in the work place and in vocational training. However, it fails to give you the same protection in public transport, housing, insurance services, education, health care, and social protection.

You might face difficulties in finding a job in the open labour market. Only 47.9 percent of persons with disabilities are employed, compared to 71.5 percent of persons without disabilities. Women with disabilities are however much more excluded from the labour market. The only option for many persons with disabilities is to work in sheltered workshops in the EU, as they are often the only workplaces where reasonable accommodation is provided. However, persons with disabilities receive no or very low wages in these places. Moreover, persons with disabilities may lose their disability allowance when they work as employees or are self-employed, which is a disincentive for their access to employment.

The EU does not usually consult you or your representative organisation when it takes decisions about your life. Not all new laws and policies that the EU adopts include persons with disabilities and their rights. The EU also lacks a strong and well-resourced agency that promotes the rights of persons with disabilities, and that coordinates the work of all EU institutions and agencies with regards to disability.

Recommendations

- The EU and all its institutions should systematically and closely consult and actively involve persons with disabilities and representative organisations of persons with disabilities in all decisions they take which affect their lives.
- The EU should protect all persons with disabilities against discrimination in all areas of life, including social protection (social security and social advantages), health care and (re)habilitation, education, and access to and supply of goods and services (such as housing, transport and insurance).
- The EU should ensure that all goods and services circulated within the EU and its market are accessible for persons with disabilities. A strong European Accessibility Act should be adopted covering a maximum of policy areas including transport, the built environment, emergency services, and information and communication technologies (ICT), amongst others.
- The EU should communicate to all EU countries that all persons with disabilities, regardless of their legal capacity, should enjoy all EU rights regarding access to justice, good and services, banking and employment, health, voting, and consumer rights. It should prohibit any discrimination by EU countries against persons with disabilities in exercising these rights and accessing these services based on disability and/or legal capacity status. Moreover, it should request EU countries to seek and ensure informed consent of persons with disabilities through accessible information and accessible consent mechanisms.
- The EU should promote a stronger coordination of social security systems among the EU countries to ensure that you can transfer your social protection, disability and personal assistance benefits to another country when you wish to travel, live, study, or work there.
- The EU should ensure that all persons with disabilities can travel freely throughout the EU using accessible transportation and ticketing systems. There should be quality assistance offered at airports, bus/train stations and harbours. Barriers to buying products and services that enhance personal mobility should be removed.
- The EU should raise the awareness of all persons with disabilities on their rights and their ability to live and work in society. Personalised assistance, trainings, and peer-support should also be promoted, as it helps persons with disabilities to know their rights.
- All EU money spent in the EU Member States, at its borders and around the world should produce fully accessible and inclusive (built and digital) environments, products, and services. Persons with disabilities and their representative organisations should be consulted and included in the process.

Contact the EDF secretariat



Tweet about your good or bad experiences about accessibility in Europe to **@edfaccess**



Tweet about your experiences as a person with disabilities in Europe to **@MyEDF**

Any questions?

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Email: info@edf-feph.org



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