



European Laws and Policies: Achievements and Future Plans

Inmaculada Placencia Porrero
Deputy Head of Unit
Inmaculada.placencia-porrero@ec.europa.eu

European Commission
Directorate General for Justice
Unit D3 Rights of Persons with Disabilities



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Overview of the presentation

1. Disability as a human rights issue and a matter of law: the **European Disability Strategy 2010-2020** to implement the UN Convention on the Rights of Persons with Disabilities
2. EU initiatives on **accessibility**: state of the art and future perspectives
3. EU Accessibility standardization work



LEGAL BASIS

CHARTER OF FUNDAMENTAL RIGHTS OF THE EU

Article 21: Discrimination on the grounds of disability shall be prohibited

Article 26: The Union 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.

TFEU Articles 10 and 19: the EU shall aim to combat discrimination (mainstreaming and specific legislation)

Others: Internal market **114**, Transport **90-100**, Employment **145**, etc...



UN Convention on the Rights of Persons with Disabilities



The rights recognised by the Convention cover many policy fields (**accessibility, employment, education, health, independent living, participation in culture and sport, civil rights**)

Mixed competences between EU and MS (all the MS and the EU signed the UN Convention)

The EU and Member States, to the extent of their competences, have to **comply with the obligations** to ensure the rights recognized in the Convention



UN Convention on the Rights of Persons with Disabilities

- 30 March 2007: the European Community **signs** the UN Convention
- 26 November 2009: Council Decision on the conclusion (**ratification**) of the Convention by the European Community
- **22 January 2011: entry into force** of the Convention for the EU



European Disability Strategy 2010/2020: a renewed commitment to a barrier-free Europe

Adopted on 15 November 2010. Three main documents:

- [Communication on a European Disability Strategy 2010-2020](#)
- [Initial plan to implement the Strategy: List of Actions 2010-2015](#)
- [Background Document with facts and figures](#)



Main areas for EU action

- **Accessibility** of goods and services
- **Participation** as equal citizens in Europe and quality community-based services
- **Equality** and combating discrimination
- **Employment** in the open labour market
- Inclusive **education and training**
- **Social protection** to combat poverty and social exclusion
- Equal access to **health** services and related facilities
- **External action** including EU enlargement, neighbourhood and international development programmes



Key actions on accessibility in the Disability Strategy

- Study on the cost benefit of improving accessibility at EU level
- European Accessibility Act
- Complete and improve the legal framework on transport for persons with disabilities and reduced mobility
- Digital Agenda
- Accessibility standardisation Mandates
- European Award for accessible cities
- Improve application of Art 16 of structural funds regulation



European Accessibility Act

- Problem: not enough accessible goods and services in the European market; fragmentation of markets → barriers for people with disabilities for equal participation in society and the economy, including intra-EU mobility
- Steps towards a European Accessibility Act:
 - Launch a study on cost-benefit analysis and data collection on accessibility of goods and services in the area of ICT, built environment and transport (2011-2012)
 - Consult Member States, civil society, businesses (2011/2012)
 - European Accessibility Act (2012/2013). Its nature, scope and content will depend on the results of the study and the consultation



Mandate 473 to include Accessibility following DFA in relevant standardization activities

- Issued in September 2010
- Process to identify standardisation deliverables and areas relevant for disability
- Develop standardisation work programme
- Review and amend standards in priority areas
- Develop a new standard (or other deliverable) on how manufacturing industry and public and private service providers can consider accessibility in their processes



Training of Stakeholders on consultations on standardisation

- training courses developed and implemented in 2009/2010
 - **for persons with disabilities** to increase their effective participation in the standardisation process
 - **for experts in standardisation** to become familiar with disability accessibility issues.
- **Manuals** available
- Long term aim: to ensure that accessibility requirements and disability issues are included in the standardisation deliverables for relevant products and services.



Study on SOCIAL CONSIDERATIONS IN PUBLIC PROCUREMENT

- Promoting “Employment Opportunities”
 - promotion of on the job skill development programs including for persons with disabilities
- promotion of inclusive and accessible work environments
- anti-discrimination based on disability, race, ethnic origin, age, sexual orientation or religion or ex-offenders
- Supporting *Social Inclusion* and Promoting Social Economy Organizations,
- Promoting “Accessibility and Design for All”, e.g.:
- Taking into account “*Fair or Ethical Trade*” issues
- Case studies
- http://ec.europa.eu/employment_social/social/csr/080508_study_en.html



Green paper on the future of public procurement

- COM 2011 / 15
- Questions on the Directives and their functioning
- Questions on disability and accessibility
 - Use by contracting authorities of the possibilities offered under Article 23 of Directive 2004/18/EC concerning accessibility? If not, what needs to be done?
 - Use of technical competence or other selection criteria aimed at fostering the achievement of objectives such as ..., improving accessibility for disabled
 - The need of requirements imposed by the contracting authority to be linked to the subject matter of the contract
 - Use of criteria based on characteristics of undertakings ...employing certain quotas of persons with disabilities, etc
- Consultation open till 18th April
- MARKT-CONSULT-PPREFORM@
- ec.europa.eu.

See:

http://ec.europa.eu/news/business/110128_en.htm

