**Minutes**

**Meeting of the EU Framework to promote, protect and monitor**

**the UN Convention on the Rights of Persons with Disabilities (UN CRPD)**

**8 September 2022, 10:00-12:00**

*(hybrid meeting)*

*Location: room FRS-03A001, European Ombudsman office, Rue Froissart 87, Brussels)*

1. **Welcome and Opening**

The chair, Alejandro Moledo of EDF, welcomed everyone to the meeting.

1. **Approval of the Agenda**

The agenda was approved.

1. **Update on relevant activities and exchange of views on CRPD**

**Implementation**

Members exchanged information on ongoing activities.

The *EU Agency for Fundamental Rights* noted it was continuing its work on its annual chapter on CRPD implementation in the Fundamental Rights Report, with a new round of FRANET research having just commenced again. It announced that it would launch the results of its Fundamental Rights Survey (FRS) in the area of disability in December; this will outline all the relevant findings in the area of disability that came out of the FRS, which was carried out in all EU Member States, the UK and North Macedonia. The Agency’s paper on human rights indicators, intended to help national monitoring bodies set up and expand such indicators, has passed review by its scientific committee, and will be sent for approval to the management. The Agency pointed out that it was also still working on its EU funds project, which looks at the compliance with the EU Charter and the CRPD of regular EU fund spending, and in particular at the potential role of national human rights bodies in this process. The research phase, which was carried out at the EU level and in seven Member States (Bulgaria, Croatia, Estonia, Finland, France, Germany and Portugal), is nearly over, and research results have come in from many interviews, desk research and national roundtables. The Agency will now discuss precisely how to publish these results in a manner that will help increase scrutiny of EU funds. The Agency noted that the issue of disability and deinstitutionalisation, as well as accessibility issues, came up prominently in the research as areas of concern, and that it would ensure that CPRD issues are included in the final report, which will come out at some point in the first half of 2023.

The *European Ombudsman* noted that it was organising a webinar on the web accessibility directive with colleagues from ombudsmen offices from the European Network of Ombudsmen (ENO) on 12 October. Otherwise, its regular work in the area of complaints and inquiries was continuing.

The *European Parliament* noted that the Langensiepen report of EMPL, prepared with input from the LIBE Committee, was adopted in October in committee and would be submitted later in plenary after negotiations at the technical level. It also noted the minimum wage vote, which also contains a provisions on persons with disabilities. It also recalled that an EP delegation consisting of the EMPL, LIBE and PETI Committees went to the CRPD Conference of States Parties (COSP) in New York, which was a great inspiration to its work in the area of disability. Representatives of the Parliament also noted the importance of voting booth accessibility and the accessibility of crisis management.

The *European Parliament* (EP) noted that an own-initiative report on ‘Towards equal rights for persons with disabilities’ with LIBE lead and with EMPL, PETI and CULT Committees’ association is under preparation. It would be submitted in plenary in November/December. LIBE is involved - as opinion giving committee to the AFCO report - on the Electoral rights for mobile Union citizens in EP elections (2021/0372(CNS)) directive and LIBE is on the lead for the Electoral rights of mobile Union citizens in municipal elections 2021/0373(CNS)) directive , which both also contains provisions on persons with disabilities. The EP also recalled that an EP delegation consisting of members from the EMPL, LIBE and PETI Committees went to the CRPD Conference of States Parties (COSP) in New York in June 2022, which was a great inspiration to its work in the area of disability. Representatives of the Parliament also noted the importance of voting booth accessibility and the accessibility of crisis management. PETI noted that new petitions on disabilities have been registered, see annex.

The *European Disability Forum* noted that it continued to monitor legislative files and the implementation of EU law. It had paid particular attention to AccessibleEU and the introduction of a European disability card. EDF participated in meetings and gave comments of three subgroups of the Disability Platform on the topics, as well as published a position paper on the Disability Card and gave inputs to the European Parliament’s report on AccessibleEU centre. In addition, EDF also worked on mainstreaming the CRPD in legislation, including EU electoral law and the ‘mobile citizenship’ directive, the directive on combating violence against women (including a campaign calling for the criminalisation of forced sterilisation), the directive on pay transparency, the energy on performance of building directive, and the artificial intelligence act, among others. It pointed out that no binding proposal to deal with care and disability was contained in the new Care package. It also noted that it had been dealing with other upcoming legislative files, including the proposal on standards for equality bodies, the victim’s rights directive, the transposition of the European accessibility act and the passengers rights directive. Finally, EDF has also been working on monitoring the transposition and implementation of the European Accessibility Act. The deadline for transposition was 28th of June, and so far only 11 Member States have transposed the Directive. Regarding the Russia’s war in Ukraine, EDF is looking at the response to the humanitarian crisis linked to the war in Ukraine and its impact on people with disabilities. EDF sent a report to the CRPD Committee highlighting also the role of the EU and Member States to protect the rights of people with disabilities who fled the country.

1. **Exchange with CRPD Committee Rapporteur on the European Union, prof. Markus Schefer**

The members of the Framework had an exchange with prof. Markus Schefer, the Rapporteur appointed by the UN CRPD Committee for the review of the European Union. They discussed the list of issues and the process of the review of the EU more generally.

A number of specific points were also discussed, including the difficulty of comparing disability status between different EU Member States. It was also noted by EDF that a number of topics were not mentioned in the list of issues, such as discrimination in the use of artificial intelligence and surveillance, the digitalisation of justice or harmonisation and mutual recognition of the parking card across EU Member States. EDF also raised a question about the lack of a specific section on the role of the EU as public administration. The representative of the ombudsman thanked prof. Schefer for the fact that the Committee had included in the list of issues questions relating to some of the ombudsman’s own initiative inquiries where follow up is indeed needed.

Professor Schefer of the *CRPD Committee* gave an overview of how the CRPD Committee’s review process works and shared suggestions on how to engage with the Committee. In the next steps of its review of the EU, the Committee would not start from the information provided to it in the list of issues alone, but information concerning the implementation of the Convention could be sent to the Committee until a reasonable time before the session in which the Union’s implementation would be discussed. He noted that the list of issues of the EU was longer than expected, resulting in the need to compress the text significantly. A focus on some issues was needed in the list of issues, but this did not mean other issues were not also important. He also pointed out that to be included in the list of issues, topics would have to relate specifically to disability, not be of a more general nature. Other issues, about which more vague information was available, such as on artificial intelligence, were not included in the list of issues. He reassured Framework members that issues not mentioned in the List of Issues could still be raised later on in the process, however. He also noted changes in the way UN treaty bodies like the CRPD Committee review State reports, which may also affect the review of the EU.

In response to questions on the EU Disability Strategy, he noted that the strategy was rather timid, and does not make the logic of the CRPD very visible; it was a document that showed what was politically possible at the moment.

He requested that the Framework deliver very precise information in brief form to ensure specific questions could be asked of the state party, noting the FRA part of the Framework submission as an example of a very useful factual description of the situation. He also stressed the importance of delivering reports on time, and of meetings ahead of the review of the EU which could be scheduled with the Committee. Information gathered by the UN Special Rapporteur’s visit to the EU will also be used by the Committee. He estimated that the Commission would reply to the list of issues by April/May 2023, and that the session with hearings on the EU would take place only after mid-2024, considering the COVID-related backlog in the work of the Committee. The European Parliament representative noted that some of the information sent to the Committee on the framework in a recent questionnaire on CRPD implementation was incomplete; prof Schefer noted it would always be useful to hear directly from relevant EU institutions and bodies on such matters, if this was possible.

**AOB**

* FRA noted that the meeting with the Commission was going to take place on 4 October, and that the Framework’s annual meeting with the ENNHRI Disability Working Group was taking place on 20 October. The theme of the second meeting will be how the Working Group and the Framework can work together to enhance the monitoring of the implementation of the CRPD.
* EDF proposed an invitation to the Council for a meeting with the Framework in 2023 (which could be added in the next workplan of the Framework)-it will be explored who to invite ahead of the Framework’s November meeting (e.g. the Presidency or someone from the Council secretariat).
* It was noted that a new work programme of the Framework would be needed next year, and that more joint activities could be considered with some or all of the members acting together as appropriate.
* A ‘parliament for persons with disabilities’ is being planned by EDF ahead of the next EP elections. It will take place in May 2023 and will result in a manifesto with demands for the next European elections. A similar meeting took place in 2017.

Annex: Petitions

* Petition No 0107/2022 by Daniel Hans Jan Hinkelmann (German) on supervision of persons with disabilities in German sheltered workshops
* Petition No 0108/2022 by Daniel Hans Jan Hinkelmann (German) on employment opportunities for persons with disabilities in the EU
* Petition No 0261/2022 by Francesco Accardo (Italian), on behalf of Class Action Italia, signed by two other persons, on the alleged failure to implement architectural barrier elimination plans (PEBA) in Italy
* Petition No 0463/2022 by David Hernandez (Spanish) on the installation of accessibility systems for people with hearing disabilities
* Petition No 0532/2022 by Cristiana Mameli (Italian) on the minting of euro coins to make them more easily recognisable by touch
* Petition No 0545/2022 by Daniel Hans Jan Hinkelmann (German) on the right of disabled people in Germany to voluntarily attend sheltered workshops