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| **Meeting of the EU Framework**  **to promote, protect and monitor**  **the UN Convention on the Rights of Persons with Disabilities**  **Monday 17 September 2018**  **14.00 – 16.00**  Rue Montoyer 30, room MTS02X34  FRA joins by videoconference |

**Minutes**

**Participants**

European Ombudsman (EO): Elpida Apostolidou, Rosita Hickey

European Parliament (EP): Alexandre Bloxs, Anna Juhos, Katja Vatter, Monika Makay

European Disability Forum (EDF): Catherine Naughton, Marine Uldry

Fundamental Rights Agency (FRA): Henri Nickels

1. Welcome and opening

The Chair (Catherine Naughton – EDF) opened the meeting and welcomed the participants.

1. Approval of the agenda

The agenda was approved, with two AOBs added:

* Update on a statement of the CRPD Committee on the Oviedo Protocol.
* Invitation form the Taiwanese Ombudsman to the EU Framework.

1. Follow up of action points from the last meeting

* FRA to check the availability of the ENNHRI CPRD Working Group to participate in a EU Framework meeting with national monitoring frameworks on the afternoon of 28 May 2018 – completed.
* EDF to check with the Focal Point that a meeting on the afternoon of 28 May 2018 fits their planning – completed.
* EDF to check the availability of the rapporteur for the forthcoming General Comment on the afternoon of 28 May 2018 – completed.
* The Framework could consider organising thematic meetings on particular files of interest and importance.
  + EDF will organise an event jointly with the Disability Intergroup of the European Parliament, to take place on 21 or 23 January. This could be branded as an EU Framework event

🡺 *ACTION POINT: EDF to circulate a proposal for the agreement of other EU Framework members to participate in the event and make it an EU Framework event*.

* A political meeting of the EU Framework could be foreseen for the end of 2018 to discuss modalities for possible Framework engagement in key files.
  + It was agreed to postpone such a meeting until after the European Parliament elections have taken place.

🡺 *ACTION POINT: set up a possible political meeting of the EU Framework after the European Parliament elections.*

1. Discussion on operational provisions of the Framework, and on the handover of the Chair to the European Ombudsman

It was agreed that the operational provisions as a whole will be reviewed, with a view to simplifying the language. It was agreed that the following sentence will be taken out of the operational provisions altogether: “The Framework member who takes up the role of the Secretariat will not be part of the rotation system for Chairperson.”

🡺 *ACTION POINT: EO to draft and circulate a simplified version of the operational provisions, for discussion and agreement.*

1. Activities related to the 2019 European Parliament elections:

The EU Framework discussed the following action point, which resulted from the annual meeting of the EU Framework with national monitoring mechanisms in May 2018: *“Data collected on political participation for persons with disabilities by the national monitoring bodies and the EU monitoring framework members could be compiled in a small publication that could be circulated before EP elections, including testimonies of the obstacles that persons with disabilities face in the right to vote and stand for elections. Based on these good practices and challenges identified, the EU Framework could send out a short checklist on how the national and European policy makers can make election procedures more accessible and inclusive of persons with disabilities.”*

It was agreed that the focus should be on the checklist, so as to avoid any overlap with existing activities. Since checklists are already used in France and Latvia, it was agreed to check first what already exists.

🡺 *ACTION POINT: EDF to check with the* Défenseur des Droits *about the checklist that it has developed, as well as with its members for any knowledge of existing checklists. The EU Framework could consider having a specific meeting in October 2018 to discuss the European Parliament elections.*

1. Implementation of the 2017-2018 Work Programme and other relevant activities

* Updates from EU Framework members
  + EO:
    - The Ombudsman’s strategic inquiry on whether the treatment of persons with disabilities under the Joint Sickness Insurance Scheme (JSIS) complies with the CRPD (OI/4/2016/EA) is ongoing. In July 2018, the Ombudsman found that the failure of the Commission to take any effective action, in response to the UN Committee’s recommendation in relation to the JSIS, amounted to maladministration. The Ombudsman [recommended](https://www.ombudsman.europa.eu/recommendation/en/99578) that the Commission should set about the task of revising the General Implementing Provisions (which govern the operation of the JSIS) with a view to ensuring that persons with disabilities will, in future, be dealt with under the JSIS in a manner which complies with the CRPD. The Ombudsman further identified a number of systemic issues relating to the protection of rights of persons with disabilities, and made a number of suggestions in relation to them. The Commission is to reply to the Ombudsman’s recommendations and suggestions by mid-October 2018. The Ombudsman’s [report](https://www.ombudsman.europa.eu/en/correspondence/en/99617) on her targeted consultation addressed to the European Parliament’s Disability Support Group (EP DSG), the European Commission’s Disability Support Group (EC DSG), the Association of Staff with a Disability in the European Commission (ASDEC), and EDF was also issued in July 2018.
    - The Ombudsman’s joint inquiry into two complaints concerning the accessibility for visually impaired candidates of competitions organised by the European Personnel Selection Office (EPSO) is ongoing. The complaints concern, in particular, the accessibility of the online application form and of the computer based tests. In May 2018, the Ombudsman’s inquiry team [met](https://www.ombudsman.europa.eu/en/correspondence/en/99007) with EPSO representatives to discuss the issues. In June 2018, the Ombudsman received [EPSO’s reply](https://www.ombudsman.europa.eu/en/correspondence/en/99008) to her questions.
  + EDF:
    - Continued to increase awareness of the CRPD and the obligations derived from it. We worked closely with our board and members. We ensured the dissemination to the newly adopted General Comment No. 6 on article 5 CRPD. We organized training on the sustainable development goals in the light of CRPD, through webinars. We also organized regular training on the accessibility act.
    - Published the second Human Rights Report that focuses on the implementation of the Sustainable Development Goals from an European and CRPD compliant perspective (<http://edf-feph.org/sites/default/files/edf_-_sdgs_human_rights_report_final_accessible_0.pdf>). We are now working on our third Human Rights Report that focuses on equality and non-discrimination, in the light of article 5 of the CRPD. It examines the gaps of implementation at the level of the EU and EU member states.
    - Following closely the negotiation of the European Accessibility Act. Next COHOM will take place on October 2nd.
    - Analysing the European Commission’s mid-term review of the European Disability Strategy 2010-2020 and contribute to the preparation of the follow up strategy. We prepared written inputs on the next disability strategy. The strategy will be on the Agenda of the European Day of Persons with Disabilities (3-4 December 2018). EDF members will give inputs.
    - Working on a collective complaint on independent living in France to the Committee of Social Rights of the Council of Europe. It was submitted to the Committee by EDF and Inclusion Europe as a collective work with French organisations. The decision on admissibility is due for the October session (15-19 October).
  + EP
    - The interinstitutional negotiations on the European Accessibility Act could not be finalised with the Bulgarian Presidency, negotiations are ongoing with the Austrian Presidency.
    - The EMPL committee sent a delegation to the Conference of State Parties in June in New York, for the 1st time. Members of the delegation held important meetings where they could obtain a picture on the situation of the persons with disabilities in the USA. They also participated at different side events, holding speeches on social dialogue, political participation and assistive technologies.
    - At the meeting of the EP CRPD Network in June, Henri Nickels (FRA) presented the FRA reports ‘From institutions to community living. Parts I-II- III’.
    - On 5 July 2018, a plenary debate took place on *Participation of persons with disabilities in the European elections*

(<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+CRE+20180705+ITEM-003+DOC+XML+V0//EN&language=EN>)

* + - PETI is organising its annual event on the Rights of Persons with Disabilities on 9 October 2018 with two panels on the subjects *Legal capacity* and *Women with disabilities*
    - In its June meeting, PETI considered four petitions on disabilities issues such as support for family caregivers in Italy, healthcare and social benefits for dependent persons, and access to public transport in Romania.
    - TRAN commissioned a study on Transport and tourism for persons with disabilities and persons with reduced mobility that is planned to be presented in the TRAN committee in December 2018 (<http://www.europarl.europa.eu/RegData/etudes/STUD/2018/617465/IPOL_STU(2018)617465_EN.pdf)>
    - FEMM is working on an oral question and a resolution on *The Situation and Rights of Women with disabilities*.
    - The trilogue on *‘Establishing a common framework for European statistics relating to persons and households, based on data at individual level collected from samples’* has successfully ended (June 2018). The regulation will oblige Member States to collect data on health status and quality of life of persons with disabilities.
    - Consultations are ongoing between MEP Kósa, MEP Stevens and the European Deafblind Union on the next steps towards the adoption of their Resolution On Professional Deafblind Interpreters/ Interveners and Equal Access to Communication for Persons with Deafblindness in Europe.
  + FRA:
    - FRA will launch a number of deliverables deriving from its project on the right to independent living of persons with disabilities on 4 December 2018: <http://fra.europa.eu/en/event/2018/institutions-community-living-eu-launch-seminar>.
    - Fundamental Rights Report 2019 will again have a chapter dedicated to developments relating to the implementation of the CRPD.
    - FRA will take part in a CEPOL Webinar on disability hate crime on 16 October 2018.
    - FRA has continued its work as the Secretariat of the EU Framework.
* Preparation of Work Programme 2019-2020

The EU Framework had an open discussion on the possible level of engagement of the different organisations that make up the Framework. The work programme could therefore have three tiers:

* + Tier 1: ongoing work relevant to the CRPD by the different organisations that make up the framework.
  + Tier 2: activities that involve different Framework members: website; coordinating and informing of relevant activities and events; annual meeting with the Focal Point; annual meeting with national monitoring frameworks.
  + Tier 3: collective action on a substantive issue, in full respect of the mandates of the different organisations that make up the EU Framework. The discussion focused on the possibility to organise a hearing in early 2020 on mapping progress of the EU in implementing the CRPD, based on the Concluding Observations, with a view to informing the 2021 review. If the Framework decides to proceed with the joint organisation of this event,preparations for the hearing would be a standard point on the agenda of the EU Framework meetings.

🡺 *ACTION POINT: The Secretariat (FRA) to send a deadline for input to the draft Work Programme 2019-2020 by 26 November 2018. Final draft to be prepared by mid-December 2018, for adoption in mid-January 2019.*

1. AOB
   * “Statement by the Committee on the Rights of Persons with Disabilities calling States parties to oppose the draft Additional Protocol to the Oviedo Convention” - Adopted at the CRPD 20th session (27 August - 21 September 2018): [www.ohchr.org/EN/HRBodies/CRPD/Pages/CRPDStatements.aspx](http://www.ohchr.org/EN/HRBodies/CRPD/Pages/CRPDStatements.aspx).
   * Invitation from the Taiwanese Ombudsman to the EU Framework: it was agreed that no one from the EU Framework would attend, with EDF redirecting the Taiwanese Ombudsman to national frameworks as more appropriate interlocutors.
   * The EO takes over the Chair of the EU Framework as of the end of this meeting, until October 2019.