**Meeting of the EU Framework to promote, protect and monitor the UN Convention on the Rights of Persons with Disabilities (CRPD)**

**Wednesday 13 November 2019**

**16:30-18:00**

*Draft Minutes*

**Participants:** (i) FRA: Robert-Jan Uhl, Konstantina Stavrou, Rachel Forster; (ii) Ombudsman: Marta Hirsch-Ziembinska, Jakub Pawlowicz; (iii) EDF: Catherine Naughton, Marine Uldry; (iv) Parliament: MEP Katrin Langensiepen (Committee on Employment and Social Affairs-EMPL), MEP Alex Agius Saliba (Committee on Petitions-PETI), Dirk-Claas Ulrich (assistant to MEP Langensiepen), Estrid Faust (assistant to MEP Al-Sahlani), Roxana Andronic (assistant to MEP Bogdan), Miklos Györgyjakab (assistant to MEP Kósa), Elena Thevissen (assistant to MEP Agius Saliba), Monika Makay (EMPL Secretariat), Fanny Fontaine (Committee on Civil Liberties, Justice and Home Affairs-LIBE-Secretariat), Katja Vatter (PETI Secretariat), Karin Sauerteig (PETI Secretariat)

1. **Welcome and opening**

* Participants were welcomed on behalf of European Ombudsman Emily O’Reilly, who apologised for being unable to attend herself. Introduction of all participants followed.

1. **Approval of the agenda**

* The agenda for the meeting was approved with no further changes.

1. **Appointment of the new Chair of the EU Framework**

* Participants discussed the appointment of the new Chair of the EU Framework, who is appointed for 1 year.
* The Ombudsman’s Office (Ombudsman, current Chair) expressed their willingness to renew their term if there were no other volunteers. The European Disability Forum (EDF) expressed its willingness to act as Chair in the future, but not at the present moment. The European Parliament (EP) also expressed its willingness to take on the Chair either now or in the future.
* Considering that the Chair has so far rotated from the Fundamental Rights Agency (FRA) to the EDF and the Ombudsman, it was agreed that the EP was the best candidate.
* Provisional decision:the EP will discuss accepting the Chair internally and will revert to the EU Framework in the next two weeks.

1. **Discussion on upcoming EU Review by UN CRPD Committee – overview of situation and next steps**

* *Chair:* the new UN CRPD Committee review cycle of the EU will begin in April 2021, meaning the EU Framework must start preparations to prepare inputs by the deadline estimated for February 2021. The Framework will organise a hearing in 2020 to map progress with a view to providing input into the List of Issues to be adopted by the CRPD Committee in the spring of 2021. In order to prepare its input, a separate preparatory meeting with one or two representatives each of the Ombudsman, FRA, EP and EDF will be organised; this meeting should take place before the end of December 2019, or failing that at the beginning of January 2020.
* Follow-up: Framework members will email Jakub Pawlowicz on their representative(s) and their availability for the preparatory meeting ASAP.
* *EDF:* Delays in the review process mean there is less time pressure on the review than usual. We have all 2020 to prepare. The Concluding Observations to the EU should be adopted by the Committee only in 2022 at the earlier.
* *EDF:* The deadline for the List of Issues (LoI) submission is February 2021, followed by a one-year term for the EU to respond to the LoI.
* *FRA:* The Agency recently spoke to CRPD Committee Secretariat, and can confirm that the LoI is due in beginning of 2021. The EU Framework can influence the review even before the LoI is sent by submitting (by the end of 2020) its own suggestions ahead of the CRPD Committee sending the LoI to the Commission.
* *FRA*: The Agency had an internal discussion on organising an expert meeting in 2020 to feed into the review process, and agrees on the importance of a technical meeting in December 2019.
* *FRA:* Cooperation with ENNHRI[[1]](#footnote-2) on this could be useful; the Agency already spoke with their secretariat to set up a working group (WG) on the CRPD, where ENNHRI/Framework members could participate.

1. **Discussion of framework input to the EU Disability Strategy**

* *FRA:* The Agency’s changes to the common sections in the latest draft on the EU Disability Strategy are minor; there is also a more streamlined version of the FRA section in the version sent around to members ahead of the meeting.
* *EP:* Before providing feedback, the draft would have to be circulated around the EP first – this should be done in the next 2 weeks.
* *EDF:* For context, the EU Disability Strategy 2010-2020 is ending soon, but there has been no statement from the Commission on renewing it: it is not in the Commission work plan, and the relevant Commissioner did not deal with the question in her Hearing. It is important that the EU Framework intervene on this to show they are aware and monitoring the situation.
* *Chair*: It would be good to have the final version of Framework input ASAP. The deadline is set for the end of November 2019; participants are invited to communicate with Jakub Pawlowicz and then the input will be sent to the Commission.
* *EDF:* At what level should the Framework send the input to Commission? EDF volunteered to draft a letter explaining the Framework and its role to the relevant Commissioner (MEP Agius Saliba offered his assistance).
* *Chair:* On page 3, the sentence that states “strategy should have the same *legal value* as the 2020 Strategy” *[[2]](#footnote-3)* needs amending. Following discussion, it should be amended to reflect the language from the UN CRPD Committee’s Concluding Observations.

1. **Updates from EU Framework members on activities to promote, protect and monitor the implementation of the CRPD**

Legislative analysis

* *EDF*: EDF has not engaged in extensive legislative analysis; no statements were made on the Finnish Presidency’s revival of the EU Horizontal Directive. EDF did however participate in an EPSCO[[3]](#footnote-4) meeting alongside FRA, where data on equal treatment directive was presented.
* *EP:* In the LIBE Committee, a new Rapporteur from the Green/EFA party has been appointed on the issue of the equal treatment directive.

Monitoring implementation of CRPD

* *Chair:* Every Framework member should participate in this.
* *FRA*: The Agency’s Annual Report always covers monitoring of implementation at the EU and national level.
* *EP*: The LIBE Committee’s Annual Report of the human rights situation, the latest of which was adopted in January 2019, includes CRPD implementation.
* *EP:* EMPL Committee work on implementing the Employment Equality Directive in light of the CRPD starts in March 2020.
* *EDF:* yearly publication of EDF human rights report which focus on implementation of the CRPD. In March, a report on equality and non-discrimination was published. The next report is being completed and is on poverty and social exclusion of persons with disabilities.

Facilitate communication and cooperation

* *FRA*: The Agency and other Framework members participated in the May 2019 ENNHRI WG meeting, where they discussed EU cooperation on the next round of UN CRPD Committee reviews.
* *EDF:* The usual joint meeting with the Commission and National Monitoring Frameworks (NMFs) for CRPD, did not happen this year; however it is good practice, and holding the Work Forum in 2020 would be good, as it is an opportunity to discuss the EU Review with the NMFs. The EP has hosted it on 3 occasions.
* *FRA:* The Agency agrees, having already suggested this possibility. The fact that the Commission’s main meeting happened on a Monday made the usual arrangement of people joining the ENNHRI meeting before difficult; efforts should be made to organise the NMF meeting so people can attend.
* *Chair:* FRA should take the lead in planning this.

Operational provisions revisions as needed

* The consensus was that no revisions were needed.

Developing and disseminating information

* *Chair:* The current focus is on the accessibility of online tools for EU, etc. (cf. access to OLAF sites and online tools for persons with a visual impairment, which the Ombudsman should report on by the end of year); the other inquiry on use of EU funds in institutions is still on-going. There is also a need to make more people aware of existing complaints mechanisms.

Short paper on promising practices on national mechanisms

* *Chair:* Who should take the lead? FRA suggested.
* *FRA:* The Agency will look at this for next year as so far, it can only offer the opinions from its Annual Report. ENNHRI can also provide input.
* *EDF*: EDF will be compiling a list of their achievements for the year, which they will submit to the FRA.
* *Chair:* By the end of November 2019, a concept note on the short paper should be sent around. All EU Framework members should send a progress report to FRA (mostly what has been done, with a small section on upcoming work).

1. **AOB**

* *EDF*: The new CRPD Committee elections take place in June 2020; the call for candidates will open in February 2020, with April 2020 as the deadline. Last time it was very difficult to get EU Member-States to nominate candidates; the EU also has the right to nominate a candidate, though it has never done so in the past. EDF has suggested the possibility to the Commission, but also believes that Member States should be encouraged to nominate (using a gender and disability inclusive approach).
* *EDF*: The possibility was raised of convening different EU stakeholders to discuss what has been achieved to implement the CRPD. EDF agreed to take the lead on the concept, but thinks the EP would actually be better suited in terms of logistics and hosting. So far EDF has asked the European Economic and Social Committee, who are doing their own hearing and will invite members of the Framework. They did not agree yet to host the Framework’s hearing.
* *EP:* It should not be a problem to host (ensuring a meeting room), depending on the date and number of participants.

**Action Points and Follow-Up**

* Provisional decision:the EP will discuss accepting the Chair internally, before reverting to the EU Framework in the next two weeks.
* Follow-up: email Jakub Pawlowicz your availability for the restricted meeting ASAP.
* EU Disability Strategy:
  + Amend “strategy should have the same legal value as the 2020 Strategy” (p.3) to the language from the UN CRPD Committee’s Concluding Observations;
  + EDF will draft a letter to the relevant Commissioner providing details on the work of the EU Framework;
  + In 2 weeks, the EP will send the final draft for adoption so that the finalised document can be sent to the Commission before the end of 2019;
* Promising Practices Paper: FRA to take the lead to explore options. All EU Framework members to send a short progress report to FRA (as mid-term review of the 2019-2020 Work Programme).

1. European Network of National Human Rights Institutions - <http://ennhri.org/> [↑](#footnote-ref-2)
2. The EU Disability strategy for 2010 - 2020 had a form of inter-institutional communication, which is a non-legally binding policy document. [↑](#footnote-ref-3)
3. Employment, Social Policy, Health and Consumer Affairs (EPSCO) Council. [↑](#footnote-ref-4)