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| **Meeting of the EU Framework with the** **national monitoring mechanisms for the** **UN Convention on the rights of persons with disabilities** **Thursday 9 June 2016****15.00 – 18.00**European Parliament, Room A1H1 |

**Draft Minutes**

**Participants:**

EU Framework to promote, protect and monitor the implementation of the CRPD

European Ombudsman (EO): Rosita Agnew, Elpida Apostolidou

European Parliament (EP): Helga Stevens, Monika Makay, Georgiana Sandu, Annika Pabsch, Orsolya Zara, Adrian Reina Hurtado, Eloy Rebollo Piriz

European Disability Forum (EDF): Catherine Naughton, Laura Marchetti

Fundamental Rights Agency (FRA): Martha Stickings, Patrycja Pogodzinska

National frameworks established under Article 33(2) CRPD

AT: Christina Wurzinger

BE: Charlotte Dekempeneer

CY: Katerina Charitou (written input)

CZ: Lenka Frydkova

DE: Leander Palleit

FI: Hanna Roenty

HR: Branka Meic

NL: Esther Van Weele

SI: Goran Kustura, Dane Kastelic

UK (England and Wales): Naomi Lumsdaine

UK (Northern Ireland): Richard Clements

1. **Welcome and purpose of the meeting**

FRA opened the meeting as chair of the EU Framework and welcomed the participants.

1. **Activities to promote, protect and monitor the implementation of the CRPD**

With the EO moderating, participants presented some of the activities they have undertaken to promote, protect and monitor the implementation of the CRPD since the last meeting in 2015.

EU Framework to promote, protect and monitor the implementation of the CRPD

Framework: the EU Framework contributed to the EU review process, including closed briefings with the CRPD Committee alongside the list of issues and constructive dialogue meetings, and opening and closing statements during the constructive dialogue. In addition, an updated [EU Framework website](http://fra.europa.eu/en/theme/people-disabilities/eu-crpd-framework) is now available, hosted by FRA.

EO: The EO receives and acts on complaints concerning the rights of persons with disabilities, conducts own-initiative inquiries on specific topics. The EO has drawn on the UN Committee's concluding observations to determine the priority topics to focus own-initiative inquiries on (e.g. website accessibility, the EU's Joint Sickness Insurance Scheme). The EO continues to work on ensuring that relevant information is available in accessible formats on its website.

EDF: EDF engaged extensively with the CRPD Committee during the EU review process, redirects complainants to relevant national or EU bodies, and monitors existing and new EU legislation for compatibility with the CRPD.

EP: Three committees participate in the EU Framework: Employment and Social Affairs; Civil Liberties, Justice and Home Affairs; and Petitions.

* EMPL is the lead Committee for the EP’s implementation report on the CRPD, which will be debated and voted on in plenary in early July.
* PETI receives and addresses petitions, including organising an event on disability-related petitions in November 2015 and commissions studies, for example concerning the alleged misuse of EU structural and investment funds. It is also exploring possibilities for changing the rules of procedure to include complaints submitted in alternative forms of communication such as sign language.

FRA: FRA recently published, upon the request of the EP, a [legal opinion on requirements under Article 33(2) of the CRPD within the EU context](http://fra.europa.eu/en/opinion/2016/fra-opinion-concerning-requirements-under-article-33-2-un-convention-rights-persons), as well as a focus paper on [national legal and policy reforms linked to CRPD ratification](http://fra.europa.eu/en/publication/2015/implementing-un-crpd-overview-legal-reforms-eu-member-states) and a report on [violence against children with disabilities](http://fra.europa.eu/en/publication/2015/children-disabilities-violence). For the first time, FRA’s [2016 Fundamental Rights Report](http://fra.europa.eu/en/publication/2016/fundamental-rights-report-2016) includes a separate chapter on CRPD implementation in the EU.

National frameworks established under Article 33(2) CRPD

AT: focusing on reform of legal capacity legislation, with a new law expected later in 2016, and – following up on one of the concluding observations from the CRPD Committee – is undertaking a new German translation of the CRPD. Organises twice annual public sessions with representatives of civil society.

BE: on the basis of a consultation on stakeholders’ needs is focusing on accessibility of employment, deinstitutionalisation and promotion activities. Developed brochures and is developing a new module for an e-learning tool concerning reasonable accommodation in the workplace.

CY: organises a consultation committee to facilitate systematic cooperation with disabled persons’ organisations (DPOs), investigates complaints, participates in parliamentary hearings and meetings concerning upcoming legislation, organised training on the CRPD for personnel of health and welfare services.

CZ: took steps to improve the accessibility of the offices’ building and website, organised training on sign language and focusing on inclusive education linked to a new law.

DE: organised a follow up conference after the release of the concluding observations on Germany to assess their impact on German policy and legislation. Focusing in particular on Articles 27, 29, 13 and 19.

FI: legislation is now in place confirming the composition of the national monitoring mechanism, which is formed of the three entities together comprising the Finnish national human rights institution. The CRPD entered into force on 10 June 2016.

HR: promotes the CRPD, for example raising awareness of the concept of reasonable accommodation, and makes recommendations, for example concerning forced placement and treatment in psychiatric hospitals. Currently without an ombudsperson as the previous incumbent’s term of office has expired and a successor has not been appointed.

NL: focusing on employment, education, housing and accessibility, including indicators on employment and research on the accessibility of public transport. The Netherlands deposited the instrument of CRPD ratification in New York on 14 July 2016.

SI: preparing for the personal assistance act to be adopted in autumn, preparing a shadow report ahead of the review of Slovenia’s implementation of the CRPD, and brought and won a case at the Supreme Court in relation to the accessibility of polling stations.

UK (Northern Ireland): preparing for examination in 2017, OHCHR visit to advise on NI Disability Strategy, assisting with development of new mental capacity law and working towards implementation, developed videos on the theme of ‘hidden rights’, including issues related to disability.

1. **Challenges faced in promoting, protecting and monitoring the implementation of the CRPD**

Participants split into two working groups to discuss challenges they face in promoting, protecting and monitoring the implementation of the CRPD.

EDF moderated the session, which highlighted the following challenges:

* Lack of human and financial resources to undertake new activities related to the promotion, protection and monitoring activities.
* Lack of a clear legal basis for monitoring mechanisms, resulting in a lack of clarity concerning their responsibilities and scope of activity.
* Difficulties engaging the full range of civil society organisations, in particular small and grass-roots organisations.
* Managing expectations of what frameworks can achieve given their resources and – sometimes – limited mandates. Frameworks are often expected to set positive examples of, for example, accessibility, but this places addition pressure on resources.

Participants also identified some strategies to overcome these challenges, including:

* Prioritising certain thematic areas, often drawing on concluding observations or consultation with other actors, and concentrating their work on these issues.
* Collaborating with partners, such as civil society organisations, to pool resources and increase impact.
* Sharing knowledge and experience with other national monitoring mechanisms.
* Carefully recording costs incurred (e.g. accessibility related costs), in order to justify need for increased resources.
* Mainstreaming accessibility in procurement guidelines.
1. **Cooperation between EU Framework and national monitoring mechanisms**

In a session chaired by the European Parliament, participants discussed their expectations of cooperation between the EU Framework and national monitoring mechanisms, and identified some practical ways for them to work together.

Points raised include:

* It is very useful to share information and experience concerning CRPD monitoring through annual meetings between the EU Framework and national monitoring mechanisms.
* The next annual meeting could have a thematic focus on an issue relevant to both the EU and national levels.
* One important issue is complementary monitoring of the CRPD given that it is a ‘mixed agreement’ where both the EU and Member States have responsibilities to ensure its implementation. National monitoring mechanisms would particularly appreciate information from the EU Framework concerning developments in EU law and policy.
* More regular information exchange can be achieved through a mailing list which frameworks can use to share information about significant activities and achievements. The EU Framework can update national monitoring mechanisms on its priorities and activities.
1. **Closing and next steps**

Helga Stevens MEP summarised the key points emerging from the meeting and outlined some of the follow up points emerging from the discussions. She thanked participants for their active involvement and looked forward to the next meeting in 2017.

*Follow up points:*

* *Use the mailing list for setting up this meeting – plus additions of missing contacts – to share information concerning activities to promote, protect and monitor the CRPD.*
* *Explore the possibility of a short paper drawing together promising practices in the establishment and functioning of national monitoring mechanisms, drawing on the information included in the FRA opinion.*
* *Explore possible themes to be the focus of the 2017 annual meeting.*