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| **Meeting of the EU Framework**  **to promote, protect and monitor**  **the UN Convention on the Rights of Persons with Disabilities**  **Thursday 21 September 2017**  **10.00 – 11.30**  Rue Montoyer 30, room MTS02X34  FRA joins by videoconference |

**Minutes**

**Participants**

European Ombudsman (EO): Elpida Apostolidou

European Parliament (EP):Orsolya Zara, Moira Andreanelli (LIBE Secretariat)

European Disability Forum (EDF): Catherine Naughton, An-Sofie Leenknecht

Fundamental Rights Agency (FRA): Martha Stickings, Srna Ignjatović

1. **Welcome and opening**

Martha Stickings opened the meeting and welcomed the participants.

1. **Approval of the agenda**

The agenda was approved with no amendments.

1. **Implementation of the 2017-18 Work Programme and other relevant activities**

EU Framework members updated on their activities with respect to the 2017-2018 Framework work programme, and other relevant activities

European Ombudsman:

The Ombudsman representative referred to the ongoing own-initiative work in relation to disabilities:

* In July 2017, the Ombudsman launched a strategic inquiry into the accessibility of websites and online tools that the Commission manages (OI/6/2017/EA). She wrote to President Juncker and raised issues such as i) the assessment of accessibility, ii) the provision of information in sign languages, Braille, and other accessible means, such as easy-to-read formats, iii) the training of staff working on websites, iv) the provision of an accessibility statement (including a feedback mechanism for users), and v) the accessibility of Intranets. The Commission’s reply to the Ombudsman’s letter is to be received by the end of October 2017.
* 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 June 2017, the Ombudsman’s inquiry team had a meeting with Commission representatives in order to receive further clarifications before the Ombudsman determines her next step in the inquiry.

The Ombudsman representative also referred to two inquiries on disability-related complaints which were closed earlier in 2017:

* The first case concerned the Commission’s handling of an infringement complaint about the application of the CRPD by the Czech Republic (1418/2016/JN & 101/2017/JN). According to the Ombudsman, the further replies provided by the Commission make clear its position about when it can intervene with a Member State in its role of the Guardian of the Treaties concerning the implementation of the CRPD.
* The second case concerned a complaint alleging that persons with disabilities are stigmatised by a picture warning to be used on tobacco products (1487/2016/EIS). The picture warning in question shows a person in a wheelchair alongside a text stating “smoking causes strokes and disability”. The library of picture warnings to be used is provided in a Commission delegated directive. In her decision, the Ombudsman says that, for the future, and in order to strike the best possible balance between the different interests at stake, it would be helpful to consult appropriate civil society groups regarding the choice of sensitive images before they become publicly available.

European Parliament:

* On 21 June 2017 the legislative report on the proposal for a "regulation of the European Parliament and of the Council establishing a common framework for European statistics relating to persons and households, based on data at individual level collected from samples" was adopted in the EMPL Committee. The text as approved includes indicators on disability. Negotiations with the Council are about to start.
* The study on Discrimination and access to employment for disabled female workers, commissioned by the EMPL Committee, has been completed and published on the European Parliament website. It will be presented at the meeting of the CRPD Network, on 11 October.
* Work on the EMPL implementation report on the "European Disability Strategy" is ongoing; the vote is scheduled for 19 October 2017.
* From 20 to 22 September 2017 an EMPL Committee delegation visited Spain. The delegation held meetings and visits around the topic of disability (accessibility and inclusion for persons with disabilities).
* On 12 October 2017 the PETI Committee will organise a workshop and hold a discussion on the petitions received in relation to disability issues.
* On 15 September 2017 the plenary voted on the IMCO Committee report on the Accessibility Act and the matter was referred back to the committee responsible for interinstitutional negotiations.

EDF:

**Promotion**

* EDF is preparing its 2nd European Human Rights Report which will provide the state of play with regards to the implementation of the CRPD and its provision on international cooperation (art.32) and the Sustainable Development Goals.
* EDF organised several trainings for its members on the European Accesibility Act, supported employment and the Sustainable Development Goals. EDF also supported the members and DPOs of Luxembourg, UK, Montenegro, Latvia and Slovenia in drafting the alterantive reports to the CRPD Committee and provided training on how to engage with the Committee in Geneva.
* EDF is finalising a report on raising awareness regarding the practice of forced sterilisation of women and girls with disabilities. The report will be presented at the European Parliament on 5 December, hosted by MEP Soraya Post, and calls for ending the practice of forced sterilisation against women and girls with disabilities.
* EDF is organising the 4th European Parliament of Persons with Disabilities on 6 December, offering a forum for dialogue between persons with disabilities, their organisations and MEPs.
* EDF is organising a workhop on how to engage with the CRPD Committee for EDF members whose country will be reviewed by the UN next year. This workshop is co-organised by OHCHR and Equinet, and takes place on 17-18 October in Brussels.

**Monitoring**

EDF chaired and participated actively in the expert dialogues organised by the European Parliament to discuss progress in the implementation of the European Disability Strategy and its follow up strategy 2020-2030. EDF and its members also provided input in the draft report of the Employment Committee of the European Parliament on the topic.

FRA:

* FRA will publish the first findings of its project on the right to independent living over the coming months:
  + 12 October: [three reports on different aspects of the deinstitutionalisation process](http://fra.europa.eu/en/press-release/2017/independence-far-reality-many-people-disabilities): commitments and structures for achieving deinstitutionalisation; funding and budgeting for achieving deinstitutionalisation; and independent living outcomes for persons with disabilities
  + Human rights indicators on Article 19 of the CRPD
  + Summary overview of different types of institutional and community-based services for persons with disabilities available in the EU
* FRA is finalising its fieldwork in 5 EU Member States (Bulgaria, Finland, Ireland, Italy and Slovakia) on drivers and barriers of the deinstitutionalisation process. The findings should be published in September 2018.
* FRA co-hosted a side event, with GANHRI and IDA, on [*SDG-CRPD implementation for equality for persons with disabilities: the role of organisations of persons with disabilities and National Human Rights Institutions*](https://www.internationaldisabilityalliance.org/side-event-sdg-crpd-implementation) in Geneva on 25 August
* FRA also provided submissions to support the prepration of General Comments on Article 5 and Article 19 of the CRPD, as well as various reports by the UN Special Rapporteur on the Rights of Person with Disabilities.

1. **Meeting between EU Framework and EU CRPD Focal Point**

Logistical elements

An invitation has been sent to the Focal Point for the afternoon of 3 October (1.5 hours between 14.00-17.00). The remainder of the time will be used for an EU Framework meeting. FRA will inform all members when a response is received from the Focal Point.

The European Ombudsman has kindly agreed to host the meeting.

Preparation of agenda

EU Framework members agreed on three main points for discussion during the meeting. Members underlined the importance of ensuring systematic communication and coordination:

* Regular meetings: either once or twice a year
* Communication: modalities for regular and systematic exchange of communication
* Cooperation: including systemtic reciprocal invitations to key events

A draft agenda will be shared with the Focal Point in advance of the meeting.

*Action points:*

* *FRA to prepare draft agenda for comments by EU Framework members.*

1. **Chair and Secretariat roles**

EU Framework members discussed the chair and secretariat roles. Members reiterated their broad agreement on separating the chair and secretariat functions, with the chair rotating between different members. As previously agreed, FRA will continue to perform the role of Secretariat.

Concerning the chairing role, the European Ombudsman representative indicated they would not be in a position to take on this role until October 2018 due to human resource constraints. The EDF representatives signalled that EDF could assume this role for a 12 month period until October 2018, after which the European Ombudsman would become chair.

Framework members also discussed the current operational provisions concerning the functioning of the framework. Members provisionally agreed to revise the provisions concerning the chairing role to establish a pre-defined rotation of chairing responsibilities between the members, with each member acting as chair for one year. A foreseeable schedule would allow members to put the necessary structures in place for them to take on the chairing role.

*Action points:*

* *Framework members to discuss the proposal for EDF to take on the role of chair until October 2018, to be followed by the European Ombudsman.*
* *EDF to propose revisions to the operational provisions to allow for a one-year rotating chair, according to an agreed schedule.*

1. **AOB**

Upcoming events

Framework members highlighted the following events (in Brussels, unless otherwise noted):

* 27-29 September: Council of Europe Ad Hoc Committee on the Rights of Persons With Disabilities, Strasbourg
* 3 October: EESC hearing on European Disability Strategy
* 12 October: PETI Committee hearing on disability-related petitions
* 12-13 October: EE Presidency conference ‘Dignity + Inclusion = DI’, Tallinn
* 4-5 December: European Days of Persons with Disabilities, under theme ‘Social Europe’
* 5 December: EDF/EP hearing on forced sterilisation of women with disabilities
* 6 December: European Parliament of Persons with Disabilities