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Targeting and mainstreaming disability in policy and law

A summary of the key points from the ANED working group on European law and policy

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1. ANED Work on EC Disability Law and Policy

- One of the tasks of ANED is to monitor and report on European law and policy which affects disabled people.
- In 2008 ANED produced a thematic overview of all EC legislation and which makes a specific reference to disability.
- In 2009 this review was updated and extended to include non-binding instruments in selected policy areas.
- The reviews are descriptive and factual.

2. The ANED Working Group

- In 2009 ANED established an ad hoc Working Group to formulate expert opinions on the priorities for future law and policy development by the EC.

A. Fields covered by the Working Group:

- Implementing the UN CRPD at EC level
- Consumer Protection / Internal Market
- E-accessibility
- EU budget
- Reasonable Accommodation and Non-Discrimination
- Combating multiple discrimination which impacts on disabled women, and social policy with regard to disabled women
- Regional Policy and Structural Funds
- Independent / Community Living
- External Relations and International Cooperation

B. Working Group Recommendations took many different forms:

Proposals relating to:

- Amending existing EC legislation
- Institutional innovation
- Use of Research funding
- Funding for studies
- Conditions attached to funding
- Training and capacity building
- Guidelines

C. General Themes of Recommendations:

- Using UN CRPD as a reference point
- Use of a wide range of instruments
- Need for enhanced mainstreaming of disability
- Need to ensure that EC funding is not used to discriminate against disabled people or perpetuate disadvantage

D. Case Studies – Specific Sets of Recommendations:

Implementing the UN CRPD at EC level (1)

- i. The Open Method of Coordination should be used to promote implementation of the UN CRPD at Member State level.
- ii. Work on the UN CRPD within the European Commission should be carried out within the framework of the President of the Commission and the College of Commissioners.
- iii. The EC focal point on the UN CRPD (as mentioned in Art. 33 UN CRPD) should be based within the office of the President of the Commission and the Secretary General.

D. Case Studies – Specific Sets of Recommendations:

Implementing the UN CRPD at EC level (2)

- iv. The European Commission should establish a unit or department which can serve as a “knowledge bank” and which can provide implementation assistance to Member States with regard to the UN CRPD.
- v. The inter-service group of disability should be made much more effective.
- vi. The benefits and feasibility of establishing a “Disability Pact” should be investigated; subsequently, if appropriate, such a Pact should be proposed by the Commission.

D. Case Studies – Specific Sets of Recommendations:

Regional Policy and Structural Funds (1)

- i. The Commission should fund the development of an inventory of examples of good practice on the use of the structural funds benefiting people with disabilities, with special attention to those projects which are in line with UN CRPD. The inventory should be supported by appropriate dissemination measures, to promote the take up of suitable projects in other Member States.

- ii. Steps should be taken to increase the capacity and awareness of national officials responsible for implementing the structural funds at the national level, with regard to funding projects which are of benefit to people with disabilities.

D. Case Studies – Specific Sets of Recommendations:

Regional Policy and Structural Funds (2)

- iii. The Commission should support the dissemination of more information on the contribution of independent living schemes to society.

- iv. All projects funded through the structural funds should be monitored to ensure they fully comply with national (disability) non-discrimination law based on the Employment Equality Directive and any future directives.

3. Questions

- How can ANED use the reviews in its future work?
- How can the reviews and working group methodology be used to develop expert, evidence-based, opinions about future EC disability law and policy?