



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 24 January 2011

5540/11

**SOC 40
COHOM 10
MI 27**

NOTE

from: The Presidency

to: The Working Party on Social Questions

Subject: **Support of the implementation of the European Disability Strategy 2010-2020**

- Draft Conclusions of the Council of the European Union and the representatives of the Governments of the Member States, meeting within the Council

Delegations will find attached a set of draft Conclusions prepared by the Presidency with a view to the meeting of the Working Party on Social Questions on 2 February 2011.

Support of the implementation of the European Disability Strategy 2010-2020
- Draft Conclusions of the Council of the European Union and the
representatives of the Governments of the Member States, meeting within the
Council

THE COUNCIL OF THE EUROPEAN UNION AND THE REPRESENTATIVES OF THE
GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL

TAKING INTO ACCOUNT:

1. Article 2 of the Treaty on European Union establishing that the Union is founded, inter alia, on the values of respect for human dignity, freedom and respect for human rights, including the rights of persons belonging to minorities and that these values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail;
2. Article 19 of the Treaty on the Functioning of the European Union, according to which the Council, after obtaining the consent of the European Parliament, may take appropriate action to combat discrimination, including discrimination based on disability;
3. Article 10 of the Treaty on the Functioning of the European Union, according to which, in defining and implementing its policies and activities, the Union shall aim to combat discrimination, including discrimination based on disability;
4. the Charter of Fundamental Rights of the European Union¹, which reaffirms the right of non-discrimination, and the principle of integration of persons with disabilities;

¹ OJ C 364, 18.12.2000, p.1

5. the United Nations Convention on the Rights of Persons with Disabilities² (the "UN Convention") and its Optional Protocol, adopted on 13 December 2006 by the General Assembly of the United Nations;
6. the Council Decision of 26 November 2009 concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities³, including the appendix to the Annex which lists Community Acts that refer to matters governed by the Convention. This Appendix includes acts regarding accessibility; acts in the field of independent living and social inclusion, work and employment; acts in the field of personal mobility; acts regarding access to information; acts regarding statistics and data collection; and acts in the field of international cooperation;
7. the Opinion of the European Economic and Social Committee of 17 March 2010⁴ on "People with disabilities: employment and accessibility by stages", according to which there is a need to advance in European legislation, policies and appropriate funding for persons with disabilities through the adoption of new instruments;
8. the Council Resolution on a new European Disability Framework⁵ and the Council Resolution on the situation of persons with disabilities in the European Union⁶;

WELCOMING:

9. the commitments and progress made by the Member States and the European Union towards the ratification, formal confirmation and full implementation of the UN Convention;

² <http://www.un.org/disabilities/convention/conventionfull.shtml>

³ OJ L 23, 27.1. 2010, p. 35

⁴ SOC/363.

⁵ 10173/10

⁶ OJ C 75, 26.3.2008, p. 1.

10. the entry into force of the UN Convention with respect to the European Union on 22 January 2011;
11. the recognition, in the Commission's Communication on the Europe 2020 Strategy⁷, of disability issues as a European and national priority in the major field of combating poverty, as well as the inclusion, in various Europe 2020 flagship initiatives such as the European Platform against Poverty and Social Exclusion, Youth on the Move, the Digital Agenda, the Innovation Union, and the Agenda for new skills and jobs, of actions to improve the situation of persons with disabilities;

THE COUNCIL OF THE EUROPEAN UNION AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL:

12. WELCOME the adoption by the European Commission of its European Disability Strategy 2010-2020⁸ and the accompanying Staff Working Documents, including the list of actions that constitutes an initial plan for implementing the strategy. The strategy provides a framework for action at European level, as well as proposed actions at national level, to address the range of diverse situations faced by women, men and children with disabilities. The overall aim of this Strategy is to empower persons with disabilities so that they can enjoy their full rights and benefit fully from participating in society and in the European economy, notably through the Single Market. The Strategy identifies eight main areas for action: accessibility, participation, equality, employment, education and training, social protection, health, and external action. It also defines specific actions and implementation tools;
13. INVITE THE MEMBER STATES AND THE COMMISSION, in accordance with their respective competences, to take the necessary steps to ensure progress in the above-mentioned eight areas for action, including the following:

⁷ Doc. 7110/10.

⁸ 16489/10 + ADD 1 + ADD 2.

- a) support efforts to improve accessibility to goods and services (the built environment, transport, and information and communication, including technologies and services) by applying coherent requirements based on European standards and by stimulating the market through public procurement;
- b) establish plans to improve community based services aiming to support the transition from institutional to community-based care;
- c) develop and put in place quality frameworks for social services addressing the concerns of persons with disabilities;
- d) ensure equal access to political participation including European elections;
- e) continue to fight all discrimination against persons with disabilities and improve the legal framework on protection against discrimination;
- f) support the initiatives in support of quality education and training for persons with disabilities, so as to increase their knowledge and promote their mobility and employability;
- g) promote communication so as to raise awareness and improve the social inclusion of persons with disabilities;
- h) encourage the incorporation of accessibility in educational curricula of service providers, at least in higher education and in the fields of engineering and architecture;
- i) promote cooperation for ensuring personal and material conditions according to the level of disability in the education system;

- j) promote the acquisition of marketable knowledge and skills by persons with disabilities, with a view to employment on the open labour market;
- k) support assistive technologies and the extensive introduction thereof, with a view to promoting the employment of persons with disabilities;
- l) increase the employment possibilities of persons with disabilities and with reduced working capacity; in this context, the Member States could regularly follow up and develop cooperation in the context of the labour market, social protection and educational systems;
- m) ensure social protection of persons with disabilities by developing and maintaining protective measures to counteract the economic crisis;
- n) improve equal access to health care, including by removing inequalities and developing tailored health services for persons with disabilities;
- o) enhance the visibility of disability matters as a human rights issue in external actions and support the implementation of the UN Convention by third countries;
- p) strengthen efforts to periodically collect EU level statistics on the situation of persons with disabilities;
- q) promote the exchange of good practices within the High Level Group on Disability and, in this context, focus in particular on the national implementation of the UN Convention;
- r) increase EU financial resources and make full use of existing EU financial resources for achieving the targets mentioned above;
- s) set up specific targets for person with disabilities within the framework of establishing the national headline targets of the Europe 2020 Strategy;

14. and to finalise the ratification and advance the implementation of the UN Convention, and to start discussions on the proposal for a Council Decision on the EU accession to the Optional Protocol⁹.
15. INVITE THE COMMISSION to support the measures taken by the Member States with the following actions:
16. pay particular attention to the needs of persons with disabilities when implementing the European Platform against Poverty and Social Exclusion, Youth on the Move, the Digital Agenda, the Innovation Union and the Agenda for new skills and jobs¹⁰;
17. report regularly on the gaps between persons with disabilities and the rest of the population when monitoring progress towards achieving the headline targets of the Europe 2020 Strategy;
18. reduce social exclusion and enhance social protection through targeted support from the Structural Funds, notably the European Social Fund;
19. promote the exchange of good practices between the Member States; and
20. propose a governance framework for the EU implementation and monitoring of the UN Convention, in accordance with its Article 33, including one or more independent mechanisms.

⁹ 12892/08 ADD 1 REV 1.

¹⁰ COM(2010) 758.