



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

Concluding observations on the combined second and third periodic reports of the European Union*

I. Introduction

1. The Committee considered the combined second and third periodic reports of the European Union¹ at its 770th and 772nd meetings,² held on 11 and 12 March 2025. It adopted the present concluding observations at its 780th meeting, held on 18 March 2025.
2. The Committee welcomes the combined second and third periodic reports of the European Union, which were submitted pursuant to the simplified reporting procedure in reply to the list of issues prior to reporting prepared by the Committee.³
3. The Committee appreciates the constructive dialogue held with the State party's delegation, headed by the Commissioner for Equality, Preparedness and Crisis Management at the European Commission, Hadja Lahbib. The Committee also appreciates the participation of representatives of the European Parliament, the European Ombudsman and the European Union Agency for Fundamental Rights, among the entities that are members of the independent monitoring framework pursuant to article 33 (2) of the Convention.

II. Positive aspects

4. The Committee welcomes the legislative and policy measures taken by the European Union to promote the rights of persons with disabilities and to implement the Convention since the Committee's previous concluding observations and recommendations, in 2015,⁴ including the following:
 - (a) The adoption of the directive on combating violence against women and domestic violence and entry into force of the revised Anti-Trafficking Directive, in 2024;
 - (b) The adoption, in 2024, of the two directives on standards for equality bodies;
 - (c) The adoption by the European Parliament, on 4 October 2023, of resolution 2023/2728(RSP), on harmonizing the rights of autistic persons;
 - (d) The adoption of the regulation establishing the Horizon Europe programme for the period 2021–2027;
 - (e) The adoption, in April 2019, of the European Accessibility Act;
 - (f) The adoption, in 2016, of the Web Accessibility Directive;

* Adopted by the Committee at its thirty-second session (3–21 March 2025).

¹ [CRPD/C/EU/2-3](#).

² See [CRPD/C/SR.770](#) and [CRPD/C/SR.772](#).

³ [CRPD/C/EU/QPR/2-3](#).

⁴ [CRPD/C/EU/CO/1](#).



(g) The adoption of the Strategy for the Rights of Persons with Disabilities 2021–2030, in March 2021;

(h) The adoption of the new Gender Action Plan (GAP III), aimed at promoting gender equality and women’s empowerment across all of the external actions of the European Union for the period 2021–2025;

(i) The adoption, in 2021, of the new Strategy on the Rights of the Child;

(j) The 2021 European Union Humanitarian Aid Communication and the 2019 Operational Guidance on the Inclusion of Persons with Disabilities in European Union-funded Humanitarian Aid Operations.

5. The Committee also welcomes the ratification by the European Union of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, in 2023.

III. Principal areas of concern and recommendations

A. General principles and obligations (arts. 1–4)

6. The Committee observes with concern:

(a) That implementation of the Convention is hampered by the jurisprudence that the validity of secondary European Union law cannot be directly assessed in the light of the Convention, and that the rights guaranteed by the Convention do not have direct effect in European Union law;

(b) That even after the constructive dialogue with the delegation of the European Union, there remains some uncertainty as to whether the European Union accepts the Committee’s interpretations of the Convention, including those espoused in its general comments, as authoritative;

(c) That the European Union has not ratified the Optional Protocol to the Convention.

7. **The Committee recommends that the European Union:**

(a) **Improve implementation of the Convention by ensuring that the Convention has direct effect in its law and that the validity of secondary European Union law can be directly assessed in the light of the Convention;**

(b) **Clarify whether it accepts the Committee’s interpretations of the Convention, including those espoused in its general comments, as authoritative;**

(c) **Consider ratifying the Optional Protocol to the Convention.**

8. The Committee observes with concern that:

(a) Legislation, policies and practices have not been systematically reviewed in the light of the Convention, as recommended in the Committee’s previous concluding observations, and draft legislation, such as the regulation governing the cross-border protection of adults, does not conform with the rights guaranteed by the Convention;

(b) Although the European Union prepared an updated overview of the acts relevant to the implementation of the Convention in 2017, a formal update of the declaration of competence under article 44 (2) and the list of instruments in the appendix, as recommended by the Committee in its previous concluding observations, has not been undertaken.

9. **The Committee recalls its previous recommendations⁵ and recommends that the European Union:**

(a) **Conduct a comprehensive review of its legislation, policies and practices to ensure their compatibility with the Convention, and establish mechanisms to ensure that new legislation, policies and practices comply with the Convention, including by revising the impact assessment guidelines;**

(b) **Update the declaration of competence under article 44 (2) and the list of instruments in the appendix and include instruments that may not refer to persons with disabilities but are nevertheless relevant to their rights;**

(c) **Engage in technical cooperation with the Committee under article 37 of the Convention and with the United Nations Human Rights Regional Office for Europe, to facilitate its efforts to implement the general obligations under the Convention.**

10. The Committee notes with concern the persistence of the medical model of disability and the lack of harmonization in disability assessments across member States.

11. **The Committee recommends that the European Union:**

(a) **Ensure that the European Union and its member States follow the human rights model of disability and harmonize their disability assessments in all areas of European Union competence, including with respect to the recognition of disability status;**

(b) **Support member States to ensure that persons with disabilities, through their representative organizations, are closely consulted and actively involved in the design of disability assessments and that multiple assessments do not create an undue burden for the persons involved;**

(c) **Ensure, in cooperation with its member States, the portability of the social security benefits of persons with disabilities among member States, including by extending the scope of mutual recognition of disability status through the European Disability Card.**

12. The Committee observes with concern that the specific actions and measures contained in the Strategy for the Rights of Persons with Disabilities 2021–2030 ended in 2024 and concrete plans for the next term have yet to be adopted, and that it contains only limited actions to address the situation of autistic persons, persons with cerebral palsy and persons with dementia.

13. **The Committee recommends that the European Union establish a process to adopt new specific actions, measures and time frames for the implementation of the Strategy for the Rights of Persons with Disabilities for the period 2025–2030, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations, and extend the new specific actions, measures and time frames to all persons with disabilities, including persons with cerebral palsy, autistic persons and persons with dementia.**

14. The Committee is concerned that there are no effective mechanisms ensuring that European Union member States allocate European Union funds in full conformity with the principles and rights under the Convention, and that persons with disabilities, through their representative organizations, are not closely consulted and actively involved in the drafting of conditions for the allocation of such funds and in the processes for monitoring them.

15. **The Committee recommends that the European Union require full adherence to the Convention in the allocation of European Union funds by its member States and that it establish monitoring mechanisms, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations.**

⁵ Ibid., paras. 9 and 17.

16. The Committee is concerned that:

(a) Various instruments for the participation of organizations of persons with disabilities are not representative of or accessible to persons with disabilities in the European Union and are not legally entrenched, persons with disabilities are not informed about all ongoing consultations that would affect their rights or be relevant to them and the views of organizations representing persons with disabilities are not effectively considered;

(b) Children with disabilities, through their representative organizations, are not closely involved and cannot actively participate in the implementation of the Convention;

(c) The Council of the European Union lacks mechanisms for close consultation with and the active involvement of persons with disabilities, through their representative organizations;

(d) Recent proposals and guidance on funding for activities related to the development, implementation, enforcement and monitoring of European Union legislation and policy might be applied to organizations of persons with disabilities and restrict their ability to engage in advocacy and limit their meaningful consultation on and participation in independent monitoring of the Convention.

17. The Committee recommends that the European Union establish new mechanisms for close consultation with and the active involvement of persons with disabilities, including children with disabilities, through their representative organizations, and strengthen existing mechanisms in all areas of European Union legislation, policy and programming, including in external action and in the Council of the European Union, by, inter alia, entrenching them legally, rendering them broadly representative of persons with disabilities in the European Union, ensuring that they are accessible to persons with disabilities and that all participants are fully informed about the consultations and their time frames, modalities and outcomes, ensuring that the views of persons with disabilities are in fact heard and seriously considered, and providing sufficient financial support to organizations of persons with disabilities to protect their independence and enable them to participate effectively.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

18. The Committee remains concerned about:

(a) The European Commission's announcement to withdraw the proposal for a Council directive on implementing the principle of equal treatment between persons irrespective of disability, religion or belief, age or sexual orientation (equal treatment directive);

(b) The confinement of anti-discrimination legislation for persons with disabilities to employment and vocational training;

(c) The very limited explicit recognition of multiple and intersectional discrimination on the basis of disability and other grounds.

19. The Committee recalls its previous recommendation⁶ and its general comment No. 6 (2018) on equality and non-discrimination and recommends that the European Union:

(a) **Undertake sustained efforts to generate the political support necessary to pass the equal treatment directive;**

(b) **Ensure that legal protection against discrimination, including the denial of reasonable accommodation, includes all areas of all European Union competences and all modalities of European Union action;**

⁶ Ibid., para. 19.

(c) **Improve explicit legal protection of persons with disabilities against multiple and intersectional forms of discrimination, in all areas of life, including discrimination based on the intersection between disability and age, gender, sex, LGBTIQ+ status, religion or belief, ethnicity, migration situation, national origin and economic situation.**

Women with disabilities (art. 6)

20. The Committee is concerned that:

(a) European Union legislation and policies on gender equality and disability insufficiently protect the rights of women with disabilities and, in particular, that the Gender Equality Strategy 2020–2025 and the Strategy for the Rights of Persons with Disabilities 2021–2030 lack a focus on the rights of women with disabilities;

(b) The implementation of the Gender Action Plan (GAP III) at the level of member States and in European Union external action does not systematically consider experiences of multiple and intersectional discrimination;

(c) The views of women and girls with disabilities have not been consistently incorporated into policy development, even when they are consulted;

(d) There is a gap in disaggregated data on the participation of women with disabilities in decision-making positions across the political, economic and social spheres and there is a lack of data collection on inclusion and intersectionality in European Union external action.

21. **The Committee, recalling its general comment No. 3 (2016) on women and girls with disabilities, recommends that the European Union:**

(a) **Mainstream disability and gender into all legislation and policy frameworks and programmes and expand the scope of the Gender Equality Strategy 2020–2025 to include the rights of women with disabilities to work and employment and the rights of women and girls with disabilities to political participation and an adequate standard of living, health and education;**

(b) **Strengthen cooperation between the European Institute for Gender Equality and member States' national programmes for the advancement of women and girls to effectively address multiple and intersectional discrimination against women and girls with disabilities, and ensure that all international cooperation is disability- and gender-responsive and that it protects women and girls with disabilities living in institutions, belonging to ethnic minorities or in situations of migration;**

(c) **Ensure close consultation with and the active involvement of women and girls with disabilities through their representative organizations in the preparation and implementation of European Union policies and programmes;**

(d) **Improve disaggregated data collection on the participation of women and girls with disabilities in the political, economic and social spheres and on inclusion and intersectionality in European Union external action in partner countries, and closely consult and actively involve their representative organizations, in the European Union and in partner countries, in the development of data-collection systems that reflect their diverse lived experiences.**

Children with disabilities (art. 7)

22. The Committee is concerned about:

(a) The institutionalization of, violence against and exclusion of children with disabilities across European Union member States, and the insufficient mainstreaming of the rights of children with disabilities into European Union legislation and into the legislation of member States transposing European Union law;

(b) The limited availability of disaggregated data about the situation of children with disabilities, including children with intellectual and/or psychosocial disabilities, autistic

children, children with disabilities in institutions, and children with disabilities in situations of migration.

23. Recalling its joint statement with the Committee on the Rights of the Child on the rights of children with disabilities, the Committee recommends that the European Union:

(a) **Consistently mainstream the rights of children with disabilities into all legislation, policies and projects on children's rights and introduce effective measures against institutionalization into its internal and external action and into the implementation of the Strategy on the Rights of the Child, the European Child Guarantee for vulnerable children and the 2024 Commission recommendation on developing and strengthening integrated child protection systems in the best interests of the child;**

(b) **Strengthen the collection of disaggregated data on children with disabilities, including children with intellectual and/or psychosocial disabilities, children with disabilities living in institutions and children with disabilities in situations of migration, to inform legislative, policy and funding measures addressing multiple and intersectional discrimination against children with disabilities.**

Awareness-raising (art. 8)

24. The Committee notes with concern:

(a) The lack of legal protection against disability-based hate speech and disability-based hate crime;

(b) Stigma, ableist attitudes, harmful stereotypes and prejudice against persons with disabilities, including autistic persons;

(c) Discriminatory eugenic attitudes towards persons with disabilities in prenatal medical diagnosis of impairments, affecting in particular persons with intellectual and/or psychosocial disabilities and autistic persons.

25. The Committee recommends that the European Union, in close consultation with and with the active involvement of persons with disabilities, including children with disabilities, through their representative organizations:

(a) **Continue existing efforts to combat hate speech against persons with disabilities, including persons with disabilities in marginalized groups and in migration situations, and to extend criminal provisions against hate crimes to disability, and bring them to fruition;**

(b) **Adopt a sufficiently resourced strategy to raise awareness about the rights of persons with disabilities, including persons with intellectual and/or psychosocial disabilities and autistic persons, that highlights the dignity of persons with disabilities and their contributions to society, and closely consult with and actively involve organizations of persons with disabilities, including organizations of persons with intellectual and/or psychosocial disabilities and organizations of autistic persons;**

(c) **Take sustained measures to counter stigma, ableism and discrimination in prenatal diagnosis of impairment and provide persons with disabilities, and parents of children with disabilities, with adequate support to raise children in the community.**

Accessibility (art. 9)

26. The Committee is concerned about:

(a) The limited scope of the European Accessibility Act, which includes the built environment only as a voluntary clause for member States, does not cover essential products such as household appliances and does not sufficiently address the accessibility of information;

(b) The delays in the transposition of the European Accessibility Act by member States, including derogations for application deadlines allowing the emergency number 112 to remain inaccessible until 2027 and some self-service terminals until 2045;

(c) The fact that regulation (EU) 2024/1670 on the development of the Trans-European Transport Network lacks clarity on implementation, lacks references to the European Accessibility Act and does not mandate expert consultation or integrate accessibility into its monitoring;

(d) The limited compliance by member States with the Web Accessibility Directive, the exclusion of extranets and intranets from its purview and its opt-out provision for the websites and mobile applications of schools, kindergartens and nurseries;

(e) The gaps in accessibility requirements in digital legislation, such as in the Digital Services Act, in which accessibility is considered as a voluntary good practice, or in the general objectives for the Digital Decade policy programme, which does not take accessibility sufficiently into account;

27. Recalling its general comment No. 2 (2014) on accessibility, the Committee recommends that the European Union, within its competences and in close consultation with and with the active involvement of persons with disabilities, through their representative organizations:

(a) **Adopt legislation to guarantee the accessibility of the built environment, products and information;**

(b) **Accelerate the implementation of accessibility standards in the member States;**

(c) **Amend regulation No. 2024/1670 on the development of the Trans-European Transport Network to provide for measures for implementation, and integrate accessibility into monitoring;**

(d) **Ensure compliance by all member States with the Web Accessibility Directive, extend the scope to intranets and extranets and delete article 1 (5) thereof;**

(e) **Incorporate accessibility requirements into all digital legislation;**

(f) **Provide staff training on accessibility and disability-inclusive methodologies and adopt transparent physical and digital accessibility policies with implementation roadmaps for all buildings, services, appliances and digital platforms.**

Right to life (art. 10)

28. The Committee is concerned about:

(a) Deaths of persons with disabilities in institutional settings that receive financial support from the European Union, including during the coronavirus disease (COVID-19) pandemic, and insufficient preventive measures and redress mechanisms;

(b) Discriminatory medical protocols and higher mortality rates of persons with disabilities in institutions, in particular during the COVID-19 pandemic and in situations of conflict, including in neighbouring countries where the European Union provides humanitarian aid.

29. The Committee recommends the European Union:

(a) **Adopt, within its competence, concrete initiatives and actions in the second half of the implementation period of the Strategy for the Rights of Persons with Disabilities 2021–2030 to prevent deaths of persons with disabilities in institutions, including by:**

(i) **Developing standards for member States on the prevention of and investigation into deaths in institutions that receive European Union funding, providing funds to increase member States' capacity in this area and aligning other strategies on health and long-term care with this objective;**

(ii) **Requiring member States to thoroughly investigate violence against and deaths of persons with disabilities in institutions that receive funding from the European Union and including the collection of data on cases of deaths of persons with disabilities in institutions in the responsibilities of Eurostat;**

(iii) **Applying its accountability framework, including the suspension of funding and the recovery of funds, to institutions in which deaths could have been prevented;**

(b) **Develop non-discriminatory medical guidelines and standards to ensure equal access to life-saving treatments, in particular during health emergencies, and align European Union policy and standards among member States.**

Situations of risk and humanitarian emergencies (art. 11)

30. The Committee notes with concern:

(a) The lack of mandatory requirements and monitoring mechanisms for disability inclusion in humanitarian action, civil protection, disaster risk reduction and climate change action, including European Union policies and strategies such as the strategy on adaptation to climate change (2021) and the European Green Deal;

(b) The limited support for organizations of persons with disabilities to be closely consulted and actively involved in the implementation of policies pertaining to humanitarian action, civil protection, disaster risk reduction and climate change.

31. **Recalling its previous recommendations,⁷ the Sendai Framework for Disaster Risk Reduction 2015–2030, the Guidelines on the Inclusion of Persons with Disabilities in Humanitarian Action of the Inter-Agency Standing Committee and the Committee’s guidelines on deinstitutionalization, including in emergencies,⁸ the Committee recommends that the European Union, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations:**

(a) **Ensure that the European Union legislative, policy and implementation frameworks on humanitarian action, disaster risk reduction, civil protection and climate change protect the safety and security of persons with disabilities, enhance reporting, capacity-building and monitoring mechanisms and incorporate indicators on disability inclusion and the principles of and rights covered by the Convention;**

(b) **Promote disability-inclusive responses to prevent avoidable deaths in emergencies, establish close consultation with and the active involvement of persons with disabilities, through their representative organizations, in decision-making processes and monitoring of responses to humanitarian emergencies, pandemics and other disasters and in global, regional and national negotiations on climate change, and support official recognition of organizations of persons with disabilities as part of a disability constituency under the United Nations Framework Convention on Climate Change.**

Equal recognition before the law (art. 12)

32. The Committee notes with concern:

(a) The lack of action under the competence of the European Union to work towards the removal of guardianship regimes and restrictions of the legal capacity of persons with disabilities in member States and to provide support for persons with disabilities to exercise their legal capacity;

(b) That the European Union is seriously considering authorizing its member States to ratify the Convention on the International Protection of Adults, thereby providing cross-border recognition of, inter alia, substitute decision-making regimes;

⁷ Ibid., paras. 33 and 35.

⁸ CRPD/C/5.

(c) That barriers remain for persons with disabilities in the European Union in terms of controlling their property and financial affairs and having equal access to bank loans, mortgages and other forms of financial credit, including in cross-border situations.

33. Recalling its general comment No. 1 (2014) on equal recognition before the law, the Committee recommends that the European Union, in close consultation with and the active involvement of persons with disabilities, through their representative organizations:

(a) **Call upon Member States to replace substitute decision-making regimes with supported decision-making systems that respect the will and preference of persons with disabilities, and provide training on supported decision-making to public officials, families and service providers;**

(b) **Halt efforts to authorize member States to join or remain parties to the Convention on the International Protection of Adults, not proceed with the proposed regulation COM/2023/280 and not proceed with proposed Council decision COM(2023) 281 final/2;**

(c) **Devise legislation eliminating discrimination against persons with disabilities in terms of controlling their property and financial affairs, including accessing banking services.**

Access to justice (art. 13)

34. The Committee observes with concern that:

(a) Deprivation of legal capacity infringes on persons with disabilities' right to effective access to justice on an equal basis with others, affecting in particular persons with intellectual and/or psychosocial disabilities;

(b) Online platforms and digital tools in the justice sector of the European Union are largely inaccessible for persons with disabilities.

35. The Committee recalls the International Principles and Guidelines on Access to Justice for Persons with Disabilities, of 2020, and its previous recommendation⁹ and recommends that the European Union, within its competence:

(a) **Review its legislation on access to justice and guarantee the right to legal capacity of persons with disabilities in all legal proceedings by, inter alia, ensuring that persons with disabilities can directly participate in all stages of the administrative and justice processes, according to their will and preference, and establishing remedies for violations of their right to access justice;**

(b) **Adopt additional criteria and procedures for the provision of support measures and procedural accommodation for persons with disabilities, in all legal proceedings, that include dialogue with the persons with disabilities concerned to identify their requirements, positive measures to remove physical, communication and attitudinal barriers and a non-exhaustive list of the procedural accommodations available, including the provision of legal documents and information on procedures in Easy Read and Braille and augmentative and alternative means and modes of communication;**

(c) **Strengthen capacity-building in the justice sector and in public administration with regard to the Convention and its right of access to justice, and disseminate good practices in member States, such as the use of intermediaries and/or facilitators;**

(d) **Amend the laws on judicial proceedings to guarantee all fair trial rights for persons with disabilities, including the presumption of innocence and the rights to be present in criminal proceedings and to have access to interpretation, a lawyer and legal aid, regardless of their legal capacity status;**

⁹ [CRPD/C/EU/CO/1](#), para. 39.

- (e) **Ensure that persons with disabilities are included in the digitalization of justice.**

Liberty and security of person (art. 14)

36. The Committee is concerned about:

(a) The lack of action by the European Union under its competence to abolish the involuntary detention of persons with disabilities in member States, including in closed psychiatric facilities, and about the heightened risk of persons with intellectual and/or psychosocial disabilities, autistic persons and children, older persons and migrants with disabilities being detained;

(b) The lack of effective monitoring of detention of persons with disabilities, including in closed psychiatric facilities, and of the provision of the requisite support measures.

37. **Recalling its guidelines on the right to liberty and security of persons with disabilities¹⁰ and its guidelines on deinstitutionalization, including in emergencies, the Committee recommends that the European Union take all measures within its competence necessary to:**

(a) **Abolish the involuntary detention of persons with disabilities, including persons with intellectual and/or psychosocial disabilities, autistic persons and children, older persons and migrants with disabilities, on the basis of their disability, and provide incentives for member States to end all detention on the basis of disability, whether de jure or de facto, and fund research on the development of community-based services;**

(b) **Effectively monitor the situation of persons with disabilities deprived of their liberty in all places of detention.**

38. The Committee expresses concern about the reluctance of the European Union to advise member States not to proceed with the draft additional protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine (Convention on Human Rights and Biomedicine). The Committee recalls that the draft additional protocol would legitimize the involuntary placement and treatment of persons with disabilities and that it would contribute to the fragmentation of international law, creating deep contradictions between the Convention on the Rights of Persons with Disabilities and the law of the Council of Europe.

39. **The Committee, recalling that all European Union member States are members of the Council of Europe and parties to the Convention and also recalling its guidelines on the right to liberty and security of persons with disabilities, its guidelines on deinstitutionalization, including in emergencies, its open letters on the draft additional protocol to the Convention on Human Rights and Biomedicine, released in 2021 and 2025, and its 2018 statement in which it called upon States Parties to oppose the draft additional protocol, recommends that the European Union:**

(a) **On the basis of the memorandum of understanding signed by the European Union and the Council of Europe on 11 May 2007 and in its capacity as a State Party to the Convention, urge member States to withdraw from the draft additional protocol;**

(b) **Develop a common position with member States and with the Council of Europe to develop a non-coercive framework on mental health, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations.**

¹⁰ [A/72/55](#), annex.

**Freedom from torture or cruel, inhuman or degrading treatment or punishment
(art. 15)**

40. The Committee is concerned about:

(a) Forced treatment of persons with intellectual and/or psychosocial disabilities and of autistic children in institutions across member States, including the use of physical and pharmacological restraints, solitary confinement, forced electroconvulsive therapy and other coercive practices;

(b) European Union funding of research that de facto does not require that the persons with disabilities involved are provided with the support necessary to give their personal, free and fully informed consent;

(c) The lack of mechanisms to prevent torture and other cruel, inhuman or degrading treatment or punishment of persons with disabilities in European Union external action.

41. Recalling its guidelines on deinstitutionalization, including in emergencies, the Committee recommends that the European Union, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations:

(a) **Develop initiatives and concrete actions as part of the second part of the implementation period of the Strategy for the Rights of Persons with Disabilities 2021–2030 to align European Union policy and standards for the psychiatric treatment of persons with disabilities with the Convention and enact an absolute ban on all forced psychiatric interventions;**

(b) **Ensure that European Union-funded research involving persons with disabilities does not allow surrogate decision-making, explicitly require the personal, free and fully informed consent of persons with disabilities in such research and adopt guidelines for the provision of such consent, including from deaf persons and persons with intellectual disabilities;**

(c) **Establish mechanisms to prevent the forced treatment of persons with disabilities that may amount to torture and other cruel, inhuman or degrading treatment or punishment.**

Freedom from exploitation, violence and abuse (art. 16)

42. The Committee notes with concern that:

(a) Persons with disabilities, in particular women, older persons, LGBTIQ+ persons and children with disabilities, and persons with disabilities living in closed settings, are at heightened risk of violence and abuse;

(b) The directive on combating violence against women does not explicitly prohibit rape, forced sterilization, sexual harassment and other forms of gender-based violence;

(c) Access to specialized services for persons with disabilities who are victims of gender-based violence is insufficient and there are no specific protection mechanisms for deaf women and girls accessing services or reporting abuse;

(d) There is no systematic monitoring of institutional settings.

43. Recalling its statement of 24 November 2021 on taking action to eliminate gender-based violence against women and girls with disabilities, the Committee recommends that the European Union:

(a) **Explicitly prohibit the rape and forced sterilization of and sexual harassment and other forms of gender-based violence against persons with disabilities;**

(b) **Ensure that persons with disabilities, through their representative organizations, are closely consulted and actively involved in the implementation and monitoring of the Strategy on the Rights of the Child, the Council of Europe Convention**

on Preventing and Combating Violence against Women and Domestic Violence, the directive on combating violence against women and the Anti-Trafficking Directive;

(c) **Combat violence against and abuse of children and adults with disabilities in institutional settings, including in psychiatric facilities, and provide funds for the establishment of independent monitoring of such settings.**

Protecting the integrity of the person (art. 17)

44. The Committee is concerned that persons with intellectual and/or psychosocial disabilities, including women and children with intellectual and/or psychosocial disabilities, are exposed to harmful, invasive and irreversible forms of treatment, including forced sterilization, abortion and contraception.

45. **The Committee recommends that the European Union ensure that persons with disabilities, including persons with intellectual and/or psychosocial disabilities, are not subjected to involuntary harmful, invasive and irreversible treatment, such as forced sterilization, abortion and contraception, and that any form of treatment of persons with disabilities is based on their personal, free and fully informed consent.**

Liberty of movement and nationality (art. 18)

46. The Committee is concerned that:

(a) The European Disability Card and the European Parking Card do not encompass social security or social protection benefits essential for long-term relocation and member States retain wide discretion in their definition of eligibility criteria and disability status;

(b) Persons with disabilities, including autistic persons and persons with intellectual and/or psychosocial disabilities, face particular obstacles in accessing assessment procedures to obtain disability recognition when moving between member States;

(c) The Pact on Migration and Asylum does not sufficiently address the situation of persons with disabilities, and migration and asylum procedures subject persons with disabilities to purely medical-based assessments and do not contain clear procedures for conducting assessments;

(d) There is limited protection of persons with disabilities in migration situations against detention, denial of access to territory and pushbacks.

47. **The Committee recalls its previous recommendation¹¹ and recommends that the European Union:**

(a) **Extend the scope of the European Disability Card to long-term relocation and render social security or social protection benefits portable by, inter alia, outlining the shared responsibilities of member States to provide disability support for European Union citizens moving for long stays or permanently from one member State to another, and ensuring mutual recognition of disability status;**

(b) **Ensure that disability assessment procedures are accessible to all persons with disabilities, including autistic persons, and align assessment procedures with the human rights model of disability and the right to freedom of movement;**

(c) **Provide guidance and standards for procedural and reasonable accommodation and for assessment procedures for persons with disabilities in migration situations;**

(d) **Ensure that the implementation of the Pact on Migration and Asylum respects the rights of persons with disabilities and align policies and standards among member States to prevent detention, pushbacks and denial of access to territory of persons with disabilities in migrant situations;**

¹¹ CRPD/C/EU/CO/1, para. 49.

(e) **Develop reception modalities for migrants with disabilities that do not entail their detention and seek technical cooperation with the United Nations High Commissioner for Refugees to prevent detention in the context of migration.**

Living independently and being included in the community (art. 19)

48. The Committee is concerned that:

(a) The interpretation by the European Union of the Convention on the permissibility of small group homes seems to deviate from the Committee's interpretation, and guidance to member States does not include redress for institutionalization;

(b) European Union funds have been and are being used for the construction and maintenance of institutional facilities, including small group homes, in member States;

(c) Persons with disabilities are moved between different congregate settings in the implementation of projects operating under European Union law and/or financed by European Union funds;

(d) The current systems for monitoring the use of European Union funds by member States do not effectively ensure compliance with the obligations under the Convention, and access to judicial oversight processes by organizations of persons with disabilities is severely curtailed;

(e) Policies and investments are insufficiently targeted at the development of support measures in the community.

49. **Recalling its general comment No. 5 (2017) on living independently and being included in the community, its guidelines on deinstitutionalization, including in emergencies, and the report of the Special Rapporteur on the rights of persons with disabilities on the transformation of services for persons with disabilities,¹² the Committee recommends that the European Union, in close consultation with and with the active involvement of persons with disabilities:**

(a) **Ensure that European Union legislation, policies, programmes and guidelines on independent living are in full compliance with the requirements of the Convention, as set out in the Committee's general comment No. 5 (2017), and repeal the European Commission Legal Service Opinion of 29 June 2018 (Ares (2018)2249997);**

(b) **Ensure that no European Union funding, including the Recovery and Resilience Facility and the Neighbourhood, Development and International Cooperation Instrument, is used for the construction or maintenance of institutional facilities, including small group homes, and shape the Multiannual Financial Framework accordingly;**

(c) **Ensure that the post-2027 Cohesion Policy Legislation explicitly bans the use of European Union funds for the construction and maintenance of institutional facilities, including small group homes, and that the Strategy for the Rights of Persons with Disabilities 2021–2030 and its action plans for the period 2025–2030 comply with the obligations set out in the Committee's general comment No. 5 (2017) and conduct and publish an impact analysis of previous funding, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations;**

(d) **Amend the European Commission guidance on independent living and inclusion in the community of persons with disabilities in the context of European Union funding to clarify that small group homes do not comply with the Convention and to provide redress and reparation to persons with disabilities who were or are living in institutions;**

(e) **Recognize institutionalization as a form of discrimination against persons with disabilities;**

¹² [A/HRC/52/32](#).

(f) **Strengthen monitoring and complaint mechanisms for the allocation of European Union funds by enhancing the independence of monitoring committees at the national level and ensuring monitoring by national human rights institutions, persons with disabilities and their representative organizations in the allocation of European Union funds for disability-specific purposes, ensure effective access to justice for persons with disabilities and their representative organizations in the case of the allocation of European Union funds by member States in violation of the Convention and use its powers, such as infringement procedures, against member States failing to implement these measures;**

(g) **Adopt unambiguous definitions of community-based services, including personal assistance, to improve the targeting of investments, collect and publish disaggregated data on the services provided and the persons with disabilities utilizing them and prioritize investments for the development of accessible and affordable housing for persons with disabilities, personal assistance, centres for independent living, peer support and other types of individualized support, respecting the will and preference of persons with disabilities.**

Personal mobility (art. 20)

50. The Committee is concerned that:

(a) Persons with disabilities cannot travel independently and spontaneously due to pre-notification requirements and mobility barriers to all modes of transport;

(b) Commission regulation (EU) No. 1300/2014 of 18 November 2014 on the technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility allows the use of inaccessible trains and does not address the platform-train interface;

(c) Passenger rights regulations deny transport based on "safety considerations" and do not provide compensation when assistance fails to materialize or when passengers with disabilities are denied boarding and, in air transport, compensation is limited;

(d) Many transport providers do not allow the use of mobility equipment on buses or trains;

(e) Assistance for persons with disabilities can be provided at only 250 bus stops in the European Union and there is a lack of information on the frequency and content of training of bus and coach staff on assisting passengers with disabilities.

51. The Committee recalls its previous recommendation¹³ and recommends that the European Union:

(a) **Revise the passenger rights regulations for all modes of transport to eliminate pre-notification requirements and ensure that spontaneous travel is possible;**

(b) **Include comprehensive accessibility requirements for train stations and rolling stock in the upcoming revision of Commission regulation (EU) No. 1300/2014, ensuring independent boarding and removing exceptions for double-decker trains and restaurant cars;**

(c) **Prohibit the denial of boarding on disability-related grounds and establish compensation mechanisms for violations, ensure the full liability of air carriers for damaged or lost mobility equipment and prevent the denial of boarding to air transport;**

(d) **Develop harmonized accessibility standards for all forms of transport, including urban transport, to ensure the accessibility and accommodation of mobility equipment;**

(e) **Increase the number of bus stops at which assistance for persons with disabilities is available and provide training on accessibility for persons with disabilities for drivers and personnel operating bus stops.**

¹³ CRPD/C/EU/CO/1, para. 53.

Freedom of expression and opinion, and access to information (art. 21)

52. The Committee is concerned that:

(a) Many persons with disabilities lack equal access to information and communication due to the limited availability of accessible formats, and national sign languages are not considered part of the multilingualism of the European Union;

(b) The Audiovisual Media Services Directive lacks timelines and targets for implementation and does not ensure the accessibility of video-sharing platforms, social media and the audiovisual sections of news websites;

(c) European Union institutions' websites and social media, including those of the European Parliament, the European Commission and the European Council, are not compliant with web accessibility guidelines;

(d) The fragmentation of assistive technologies across the European Union, with different certification schemes and provision models, creates barriers to access and choice.

53. The Committee recalls its previous recommendation¹⁴ and recommends that the European Union:

(a) Amend the rules of procedure of European Union institutions to reflect the rights of deaf persons and recognize the 29 national sign languages of the European Union as official European Union languages and increase the availability of information in Easy Read format;

(b) Set timelines and harmonized European Union-wide criteria for audiovisual accessibility in the Audiovisual Media Services Directive, including quantitative and qualitative targets;

(c) Ensure the application of accessibility standards to all European Union institution websites and online platforms in line with the Web Accessibility Action Plan and the Web Accessibility Directive;

(d) Guarantee the availability and affordability of assistive technologies for persons with disabilities across the European Union.

Respect for privacy (art. 22)

54. The Committee is concerned about:

(a) Privacy risks from emerging technologies, including the use of artificial intelligence and automated decision-making, data practices linked to assistive technologies that may reveal sensitive disability-related information and the restriction of full access to vital features of assistive devices if data-collection permissions are not granted;

(b) Persons with intellectual and/or psychosocial disabilities not being able to effectively provide or refuse consent to data processing due to substitute decision-making arrangements.

55. The Committee recommends that the European Union:

(a) Ensure that persons with disabilities receive clear, accessible information about their data rights, that data collection is limited to what is necessary for the purpose and that assistive technology remains available, regardless of data-sharing decisions;

(b) Amend legal provisions to ensure that persons with disabilities have effective rights to consent or object to data processing and can control their health data, and provide user-friendly, accessible interfaces that allow for opting out of data-sharing.

¹⁴ Ibid., para. 55.

Respect for home and the family (art. 23)

56. The Committee is concerned that:

(a) The European Care Strategy and the two accompanying recommendations do not encourage member States to provide persons with disabilities with self-directed services in their homes and in their communities;

(b) During the COVID-19 pandemic, persons with disabilities in institutions were often separated from their families;

(c) None of the matters related to the home and the family of persons with disabilities raised in the European Semester process were carried through to the country-specific recommendations.

57. **The Committee recommends that the European Union:**

(a) **Provide guidance on and encourage member States to provide persons with disabilities with self-directed services in their homes and their communities, and closely consult and actively involve persons with disabilities, through their representative organizations, in its implementation;**

(b) **Support member States to prevent the separation of persons with disabilities in institutions from their families in emergencies;**

(c) **Strengthen support for persons with disabilities in the next cycle of the European Semester.**

Education (art. 24)

58. The Committee is concerned that:

(a) Many member States segregate children with disabilities in education and children with disabilities face difficulties in accessing regular schools due to a lack of qualified teachers and educational support staff, reasonable accommodation and accessible school buildings, standardized curricula that fail to meet the diverse needs of students with disabilities, and prejudice against them;

(b) Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonized rules on artificial intelligence permits the use of artificial intelligence for educational decision-making, despite discrimination risks;

(c) The Erasmus+ programme does not fully cover disability-related expenses.

59. **The Committee recalls its previous recommendation¹⁵ and its general comment No. 4 (2016) on the right to inclusive education and recommends that the European Union:**

(a) **Encourage member States to fulfil their obligation to provide quality inclusive education throughout the entire education cycle and support them in their respective efforts;**

(b) **Ensure that the use of artificial intelligence for decision-making in education does not discriminate against persons with disabilities, as mentioned in the “Ethical guidelines on the use of artificial intelligence (AI) and data in teaching and learning for educators”;¹⁶**

(c) **Ensure that the implementation of the Digital Education Action Plan guarantees accessibility for students with disabilities;**

(d) **Ensure that the Erasmus+ programme covers all disability-related expenses.**

¹⁵ Ibid., para. 61.

¹⁶ European Commission (Luxembourg, Publications Office of the European Union, 2022).

Health (art. 25)

60. The Committee is concerned about:

(a) The lack of explicit legal protection against disability-based discrimination in healthcare and persons with disabilities facing systemic barriers to healthcare access, due to healthcare providers' disregard of health issues or automatically attributing them to disability, insufficient reasonable accommodations, lack of accessible materials and processes and inadequate training for healthcare workers;

(b) Gaps in cross-border healthcare access, including the lack of accessible information by national contact points and the lack of reimbursement of disability-related expenses and the requirements of persons with limited mobility in directive 2011/24/EU.61 on the application of patients' rights in cross-border healthcare.

61. The Committee recalls its previous recommendation¹⁷ and recommends that the European Union:

(a) **Set comprehensive accessibility standards across healthcare systems, requiring member States to develop Easy Read medical materials, accessible administrative processes and communication training for healthcare professionals to support persons with intellectual disabilities;**

(b) **Restore the funding of the EU4Health programme to address health inequities for persons with disabilities;**

(c) **Revise directive 2011/24/EU.61 to guarantee equal access to healthcare for persons with disabilities in cross-border situations;**

(d) **Support member States in the implementation of guidelines to increase access to healthcare.**

Habilitation and rehabilitation (art. 26)

62. The Committee is concerned that:

(a) The European Union lacks dedicated strategies for the provision of habilitation and rehabilitation services, their inclusion in cross-border healthcare coverage and funding mechanisms for them;

(b) There is widespread inequality in the availability, affordability and quality of habilitation services for persons with disabilities;

(c) Budgetary measures in member States exacerbate the shortage of rehabilitation services and increase financial burdens on persons with disabilities, and access to habilitation programmes is insufficiently tailored to individual requirements.

63. The Committee recommends that the European Union:

(a) **Increase budget allocations for habilitation and rehabilitation services, develop guidelines on evidence and rights-based intervention and include rehabilitation services in directive 2011/24/EU.61;**

(b) **Support member States financially and exchange best practices to improve access to habilitation and rehabilitation for persons with disabilities, and adopt an action plan for affordable and accessible rehabilitation across the lifespan, in line with the Rehabilitation 2030 Initiative of the World Health Organization;**

(c) **Promote compulsory training on specific and evidence-based habilitation strategies for autism and adopt quality assessment systems for habilitation services focused on inclusion, participation and users' quality of life.**

¹⁷ CRPD/C/EU/CO/1, para. 63.

Work and employment (art. 27)

64. The Committee is concerned that:

(a) Practices of segregated employment¹⁸ exist across member States, and that member States use State aid to support segregated employment;

(b) Employment disparities among persons with disabilities persist across member States owing to the lack of reasonable accommodation, disability stigma, prejudice and the incompatibility of disability benefits with paid work;

(c) Despite progress in recent years, discrimination against persons with disabilities in work and employment is still pervasive, including lower wages, the availability of only part-time or low-paid jobs and lower participation in full-time employment, affecting in particular women with disabilities, persons with intellectual and/or psychosocial disabilities and persons with intensive support needs.

65. **The Committee recommends that the European Union:**

(a) **Repeal legislation that allows public financing of segregated forms of employment for persons with disabilities, such as institutions and other segregated facilities, amend directives 2014/23/EU and 2014/24/EU to remove the possibility of awarding public procurement to such facilities, repeal article 34 (2) (f) of the General Block Exemption Regulation (Regulation (EU) No. 651/2014) and prohibit State aid of segregated employment;**

(b) **Support member States in their efforts to implement the Disability Employment Package, which is aimed at ensuring the employment of persons with disabilities on the open labour market, enhances access to work and employment, closes segregated workshops, raises awareness about the right to work and employment of all persons with disabilities, ensures equal pay and working conditions for persons with disabilities and the provision of reasonable accommodation, provides for transition measures and also provides for the collection of disaggregated data about persons with disabilities in segregated employment;**

(c) **Continue and strengthen efforts to address the discrimination of persons with disabilities in employment, including women and persons with intellectual and/or psychosocial disabilities, by, inter alia, enforcing Council directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation across member States, strengthening equality bodies, as provided for by directive 2024/1499, and ensuring access to minimum wages on an equal basis with others.**

Adequate standard of living and social protection (art. 28)

66. The Committee notes with concern:

(a) The high levels of poverty and social exclusion of persons with disabilities, in particular women with disabilities, autistic persons and persons with intensive support needs;

(b) Higher levels of housing expenses for persons with disabilities compared with the overall population, and high costs of accessibility adaptations.

67. **The Committee recommends that the European Union, in close consultation with and with the active involvement of persons with disabilities, through their representative organizations:**

(a) **Earmark allocations in the European Social Fund to increase funding for social inclusion and combating poverty among persons with disabilities, and ensure that the investments of the Social Fund address structural inequalities and the intersectional discrimination of women and girls with disabilities, autistic persons and persons with intensive support needs;**

¹⁸ General comment No. 8 (2022) on the right of persons with disabilities to work and employment, para. 14.

(b) **In the second half of the implementation period of the Strategy for the Rights of Persons with Disabilities 2021–2030, provide guidance to member States on concrete actions to improve their legislative and policy frameworks on social protection, including coverage of disability-related expenses of persons with disabilities and ensuring that social protection and social inclusion systems are rights-based and gender responsive;**

(c) **Prioritize funding for accessible and affordable housing for persons with disabilities by the European Regional Development Fund during the process of revising the European Union funding regulations for the period 2028–2034, and adopt concrete actions to enhance the availability of affordable and accessible housing for persons with disabilities in the European affordable housing initiative.**

Participation in political and public life (art. 29)

68. The Committee is concerned about:

(a) Barriers to the full participation in public and political life by persons with disabilities, including the denial of their right to vote in European elections and to stand for public office, inaccessible voting procedures and a lack of accessible information;

(b) Barriers to accessing the European Parliament, the European Commission and other European Union buildings, including those of European delegations in and outside of Europe.

69. **The Committee recommends that the European Union:**

(a) **Ensure the right to vote and stand in elections for the European Parliament of all citizens with disabilities, irrespective of their legal capacity status, and provide reasonable accommodations and accessible voting methods and information, including Easy Read and accessible voting methods for blind, deaf and hard-of-hearing persons;**

(b) **Render accessible all European Union buildings and institutions, in and outside of Europe.**

Participation in cultural life, recreation, leisure and sport (art. 30)

70. The Committee is concerned that:

(a) Directive (EU) 2017/1564, implementing the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled allows, as does the Treaty itself, member States to require non-profit organizations that create accessible formats to pay compensation;

(b) Cultural performance venues, sites of historical significance and tourist, recreational, leisure and sports facilities are often inaccessible;

(c) Many persons with disabilities live in institutional environments located on the outskirts of cities or in rural areas, reducing their opportunities for participation in cultural life, recreational activities and sports;

(d) Recognition of the cultural and linguistic identity of deaf persons is insufficient.

71. **The Committee recommends that the European Union:**

(a) **Delete article 3 (6) of directive (EU) 2017/1564;**

(b) **Make accessibility a mandatory condition for European Union funding of culture, leisure and sports;**

(c) **Support deinstitutionalization processes to ensure better participation of persons with disabilities in cultural life, recreation, leisure and sports;**

(d) **Include and promote deaf culture as part of the cultural and linguistic landscape of the European Union.**

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

72. The Committee welcomes the establishment of the Disability Database by Eurostat, but notes with concern:

- (a) The lack of data disaggregated by type of disability, which prevents identification of support measures and comparative data analysis;
- (b) The omission of persons with disabilities living in institutions in data collection;
- (c) The lack of data disaggregated by LGBTIQ+ identity, gender, race, ethnicity, standard of living and age.

73. **The Committee recommends that the European Union:**

- (a) **Further expand the use of the Washington Group short set of questions on functioning and disaggregate its data by type of disability in key areas of life, and include barriers and possible support measures;**
- (b) **Include persons with disabilities in institutions in its data collection, as envisaged in pilot studies set to begin in 2027;**
- (c) **Disaggregate data collection on persons with disabilities by LGBTIQ+ identity, gender, race, ethnicity, standard of living and age.**

International cooperation (art. 32)

74. The Committee notes with concern:

- (a) The lack of a comprehensive disability action plan in European Union external action, leading to incoherence in external policies and programmes relating to persons with disabilities established with European Union funds, and uneven implementation of existing external policies relating to the rights of persons with disabilities;
- (b) That, despite substantial progress, the focus on disability inclusion in the European Commission's official development assistance projects is still limited;
- (c) The lack of a legally entrenched framework for close consultation with and the active involvement of persons with disabilities, through their representative organizations, in European Union external action, and a lack of such consultation and involvement in country-level consultations;
- (d) The complex procedures for applications for funding for organizations of persons with disabilities in European Union external action;
- (e) That, despite capacity-building measures by the European Union, its institutions still have limited institutional capacity to design and implement disability-inclusive international cooperation programmes.

75. **The Committee recalls its previous recommendation¹⁹ and recommends that the European Union:**

- (a) **Develop and implement a comprehensive disability action plan and improve coordination of existing policies in European Union external action to implement the Convention in all international assistance programmes and within the negotiations of the International Conference on Financing for Development;**
- (b) **Continue increasing official development assistance programmes on disability inclusion, in alignment with the Disability Marker of the Development Assistance Committee of the Organisation for Economic Co-operation and Development, and ensure that the next European Union Multiannual Financial Framework for external action is compatible with the Convention, promotes disability inclusion and takes an intersectional approach;**

¹⁹ CRPD/C/EU/CO/1, para. 75.

(c) **Enact a legally entrenched mechanism for close consultation with and the active involvement of persons with disabilities, through their representative organizations, in European Union external action, and ensure such consultation and involvement, in particular in country-level consultations, including consultations on climate change, green transition and individual projects, and in the design and implementation of international cooperation agreements and programmes, in particular in the implementation and monitoring of the 2030 Agenda for Sustainable Development;**

(d) **Ensure that all European Union funding, policies and programmes related to international cooperation and sustainable development, including all Team Europe and Global Gateway initiatives, adhere to the principles of accessibility and participation of persons with disabilities;**

(e) **Continue and strengthen systematic training for European Union staff and partners implementing European Union-funded programmes and develop practical guidance on disability-inclusive programming.**

National implementation and monitoring (art. 33)

76. The Committee notes with concern that some European Union institutions, including the Council of the European Union, have yet to appoint disability focal points and coordination mechanisms to implement the Convention.

77. **The Committee recalls its previous recommendation²⁰ and recommends that the European Union appoint disability focal points throughout all its institutions, bodies and agencies, including in the Council of the European Union, improve coordination within the Council in its efforts to implement the Convention, establish an inter-institutional mechanism for coordination and ensure the public availability of information about disability focal points.**

78. The Committee notes with concern:

(a) That the independent monitoring framework is not compliant with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), as it lacks, among others, a specific legal basis, a specific and broad mandate and earmarked funding, and that organizations of persons with disabilities lack timely access to information to effectively participate in the work of the monitoring mechanism;

(b) The lack of mechanisms to enforce the European Ombudsman's recommendations on the rights of persons with disabilities.

79. **The Committee recommends that the European Union:**

(a) **Enact a legislative basis for an independent monitoring mechanism compliant with the Paris Principles, limit the role of the European Parliament to an advisory one, provide the mechanism with a comprehensive mandate that includes the review of all existing and proposed legislation and policy and that covers all the rights under the Convention, establish procedures for other European Union entities to take note of the mechanism's findings, provide earmarked funding and clarify the legal status of organizations of persons with disabilities in the monitoring mechanism, their access to information and their modes of participation;**

(b) **Establish a mechanism for the implementation of the European Ombudsman's recommendations.**

²⁰ Ibid., para. 77.

D. European Union institutions' compliance with the Convention (as public administrations)

General principles and obligations (arts. 1–4)

80. The Committee is concerned that employees with disabilities in European Union institutions and employees' dependants with disabilities face delays in the recognition of disability status by member States due to reassessment requirements after fixed periods of time and the classification of impairments by the employer.

81. The Committee recommends that the European Union institutions align the notion of disability with the Convention, support the harmonization of the processes for disability assessments by member States to identify and eliminate discrimination against employees with disabilities in the work environment, prevent futile reassessments of disability, ensure the confidentiality of information and guarantee the right to appeal decisions on the recognition of disability status.

82. The Committee notes with concern that European Union institutions lack a comprehensive strategy for the implementation of the Convention for staff members with disabilities and visitors to and participants with disabilities in activities of the European Union institutions, and that not all institutions have satisfactory consultation mechanisms for employees with disabilities.

83. The Committee recommends that the European Union:

(a) **Adopt a comprehensive, cross-institutional strategy for disability inclusion, including goals for the further development of staff regulations and policy on the implementation of the rights of employees with disabilities and of visitors and participants with disabilities in European Union activities;**

(b) **Ensure that all European Union entities have mechanisms and standards in place to closely consult and actively involve employees with disabilities, through their representative organizations, in all legislative and policy processes on personnel.**

Equality and non-discrimination (art. 5)

84. The Committee is concerned about the denial of reasonable accommodation in some European Union institutions, depending on the responsible line manager's understanding of the Convention.

85. The Committee recalls its previous recommendation²¹ and recommends that the European Union establish a legislative and policy framework applicable to all European Union institutions on the duty to provide reasonable accommodation, regardless of type of service or place of deployment.

Awareness-raising (art. 8)

86. The Committee is concerned about the lack of disability awareness and compulsory training for all European Union employees.

87. The Committee recommends that the European Union establish awareness-raising programmes about the Convention and the human rights model of disability across all European Union institutions and provide training that involves persons with disabilities as trainers with lived experience, for all employees.

Accessibility (art. 9)

88. The Committee is concerned about the absence of accessibility standards in European Union institutions, about barriers for employees with disabilities to access digital information and tools and about the omission of accessibility in some procurement processes, or its inclusion as a non-essential criterion.

²¹ Ibid., para. 79.

89. **The Committee recommends that the European Union adopt accessibility standards across all European Union institutions, including in countries outside the European Union, to ensure accessibility for employees with disabilities and for visitors to and participants with disabilities in activities of European Union institutions and systematically employ accessibility as a functional requirement in procurement processes, including those for information and communications technology.**

Living independently and being included in the community (art. 19)

90. The Committee is concerned about the lack of support and budget allocations for employees with disabilities living outside their country of origin.

91. **The Committee recommends that the European Union provide support for employees with disabilities outside their country of origin and recognize national disability certificates for health insurance and for support under European Union special budget lines.**

Freedom of expression and opinion, and access to information (art. 21)

92. The Committee is concerned that the Web Accessibility Directive does not apply to the European Union and that, hence, European Union institutions' digital platforms remain largely inaccessible to persons with disabilities.

93. **The Committee recommends that the European Union apply the accessibility standards it requires of member States and implement comprehensive accessibility measures across all platforms, including mandatory captioning, sign language interpretation, audio description for all web-streams and audiovisual content, regardless of topic, and Easy Read versions of key information.**

Education (art. 24)

94. The Committee is concerned about the difficulties faced by students with disabilities in accessing European schools of the European Union institutions because of discrimination, inaccessibility, denial of reasonable accommodation and the lack of an alternative to the European Baccalaureate.

95. **The Committee recommends that the European Union ensure that all European schools are accessible for students with disabilities and that they receive all reasonable accommodation required to prevent discrimination, and that it create alternative certificates to the European Baccalaureate.**

Health (art. 25)

96. The Committee is concerned that the Joint Sickness Insurance Scheme of the European Union discriminates on the basis of disability, as it does not provide comprehensive coverage for disability-related health expenses, applies "serious illness" criteria to disabilities, processes reimbursements with excessive delays and is seemingly understaffed.

97. **The Committee recommends that the European Union revise the Joint Sickness Insurance Scheme to provide comprehensive coverage of disability-related health expenses and their prompt reimbursement, remove "serious illness" criteria from assessments of disability-related expenses, provide sufficient staff and implement the European Ombudsman's recommendations on staff training and the establishment of a comprehensive social protection system.**

Work and employment (art. 27)

98. The Committee is concerned about the lack of data on the number of persons with disabilities employed by the European Union, that reasonable accommodation is not portable and about the use of unnecessarily complex reassessment procedures.

99. **The Committee recommends that the European Union collect data on the number of persons with disabilities it employs, with strict adherence to the rules and**

principles of data protection, ensure that reasonable accommodation is portable and eliminate unnecessarily complex reassessment procedures.

Participation in political and public life (art. 29)

100. The Committee is concerned that tools for public participation in the European Union remain largely inaccessible to persons with disabilities.

101. **The Committee recommends that the European Union ensure that all its tools and platforms for public participation, including the European Parliament's Petitions Web Portal and the Conference on the Future of Europe platform, comply with accessibility standards.**

Statistics and data collection (art. 31)

102. The Committee is concerned about the lack of information on the number of persons with disabilities working in European Union institutions and about the lack of public information on discrimination.

103. **The Committee recommends that the European Union collect and analyse data on disability within its institutions to identify discrimination against persons with disabilities.**

E. Cooperation and technical assistance (art. 37)

104. Under article 37 of the Convention, the Committee can provide technical guidance to the European Union on any queries addressed to Committee members through the secretariat. The European Union can also seek technical assistance from United Nations specialized agencies with offices in the region.

IV. Follow-up

Dissemination of information

105. **The Committee emphasizes the importance of all the recommendations contained in the present concluding observations. With regard to urgent measures that must be taken, the Committee would like to draw the attention of the European Union to the recommendations contained in paragraphs 27, on accessibility, 33, on equal recognition before the law, 49, on living independently and being included in the community, and 75, on international cooperation.**

106. **The Committee requests the European Union to implement the recommendations contained in the present concluding observations. It recommends that the European Union transmit the present concluding observations for consideration and action to its institutions, bodies, agencies and member States, as well as officials in relevant departments of the European Commission, members of relevant professional groups, such as education, medical and legal professionals, and the media, using modern social communication strategies.**

107. **The Committee strongly encourages the European Union to involve civil society organizations, in particular organizations of persons with disabilities, in the preparation of its periodic report.**

108. **The Committee requests the European Union to disseminate the present concluding observations widely, including to non-governmental organizations and organizations of persons with disabilities, and to persons with disabilities themselves and members of their families, in national and minority languages, including sign language, and in accessible formats, including Easy Read, and to make them available on the European Union website on human rights and democracy.**

Next periodic report

109. The combined fourth and fifth periodic reports are in principle due on 23 November 2032, under the simplified reporting procedure. The Committee will establish and communicate the exact due date of the combined periodic reports of the European Union in line with a future clear and regularized schedule for reporting by States Parties²² and following the adoption of a list of issues and questions prior to reporting for the European Union. The combined periodic reports should cover the entire period up to the time of their submission.

²² General Assembly resolution 79/165, para. 6.