



Convention on the Rights of Persons with Disabilities

Distr.: General
9 September 2015

Original: English

Committee on the Rights of Persons with Disabilities

Fourteenth session

Summary record of the 220th meeting

Held at the Palais Wilson, Geneva, on Thursday, 27 August 2015, at 3 p.m.

Chairperson: Ms. Cisternas Reyes

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by parties to the Convention under article 35
(continued)

Initial report of the European Union (CRPD/C/EU/1; CRPD/C/EU/Q/1 and Add.1)

1. *At the invitation of the Chairperson, the delegation of the European Union took places at the Committee table.*

2. **Mr. Servoz** (European Union) said that he was honoured to be leading the European Union delegation on the occasion of the first ever review by an international body of the organization's fulfilment of its international human rights obligations. A core value of the European Union was the right of persons with disabilities to participate fully in society on an equal basis with others. Under the European Union treaties, the Union had a shared responsibility with its member States to eliminate discrimination. The European Commission had reaffirmed that commitment to the full and equal participation of all persons in society and the economy in its 2015 Work Programme.

3. Some 80 million European Union citizens, 1 in 6, were currently living with a disability. The European Disability Strategy 2010-2020 had marked a shift away from a protective approach to disability to a more rights-based one. It focused on empowering persons with disabilities and eliminating barriers in the areas of accessibility, participation, equality, employment, education and training, social protection, health and external action.

4. Significant inequalities persisted, however, notably in employment and education. The employment rate for persons with disabilities across the European Union was around 48 per cent, while only 27.8 per cent had completed tertiary education. One third were currently at risk of poverty. The European Commission had made job creation a priority, but the jobs created must be open to all citizens, including those with disabilities.

5. The Commission conducted annual monitoring of member States' progress on employment, education and poverty. Many of the country reports prepared as a part of that process in 2015 had referred to issues concerning persons with disabilities.

6. Work was being carried out to ensure that European Union legislation prohibiting disability-based discrimination in employment was fully implemented, including the duty of all employers, public and private, to make reasonable accommodation for persons with disabilities. The Commission was raising awareness of the legislation on discrimination and seeking to improve its practical application. National bodies were being empowered as watchdogs for equality.

7. The European Social Fund focused on social inclusion and equal opportunities in employment and education. The Fund would invest around 86 billion euros in projects relating to job creation and skills over a period of seven years. At least 20 per cent of that money would be channelled towards social inclusion, including support for persons with disabilities seeking employment and attempting to exercise their rights. Member States wishing to secure that funding must first demonstrate capacity to implement the Convention. To date, 3.1 billion euros had been allocated to social infrastructure. However, only projects promoting independent living and community-based services could receive funding.

8. Free movement of people and workers within the European Union was a basic right. The European Disability Card project would enable persons with disabilities travelling outside their own countries to have access to benefits in the fields of culture,

transport and sport in other European Union member States under the same conditions as nationals of those countries, in line with the principle of mutual recognition. The Commission would make over 1.5 million euros available to member States in the start-up phase of the project.

9. Equality, diversity and reasonable accommodation were an integral part of the recruitment strategy of the European Personnel Selection Office. The Commission was developing a new diversity strategy for 2015-2019, involving awareness-raising and training on disability for both managers and staff.

10. Evidence-based policymaking and consultation were key to the working methods of the Commission. Under new Commission guidelines, the rights of persons with disabilities must be considered when assessing the impact of initiatives. Another key principle was participation. Accordingly, in the period 2015-2017, around 3 million euros per year would be made available to help organizations of persons with disabilities to monitor, and contribute to, the implementation of the Convention.

11. Other European institutions played a role in realizing the rights of persons with disabilities. The European Parliament had re-established the Disability Intergroup and set up a working group to raise awareness of disability and promote a coordinated approach to the Convention's application. The European Ombudsman had recently investigated respect for fundamental rights, including those of persons with disabilities, in the context of European Union regional policy and had made recommendations relating to the European Commission's supervision of member States in that regard. Under the Latvian Presidency of the Council of the European Union, a high-level meeting had been held on inclusive education and employment, and a conference organized in June 2015 had focused on deinstitutionalization and the development of social care policy. The European Economic and Social Committee had set up an ad hoc group on disability to gather civil society views on the implementation of the Convention, while the European Union Agency for Fundamental Rights had collected information on legal capacity, independent living, political participation and children with disabilities.

12. **Ms. Stickings** (European Union Framework for the United Nations Convention on the Rights of Persons with Disabilities) said that the European Union Framework had been established to promote, protect and monitor implementation of the Convention in areas of European Union competence. To that end, it examined European Union legislation and policy and reviewed the Union's own administration, for example its personnel selection procedures and the accessibility of documents and websites.

13. Framework members cooperated, exchanged information and handled complaints relating to the implementation of the Convention by the European Union and its member States. The Framework complemented national mechanisms, which formed the first and main layer of protection for citizens. When a Framework member received a complaint relating to an area within the competence of member States and was unable to deal with it directly, the complainant was redirected to the competent national body.

14. The Committee on Petitions of the European Parliament received petitions from European Union citizens, some of which referred to difficulties encountered by people with disabilities when attempting to access employment, insurance, finance, education systems or public transport. Most petitions were dealt with by written procedure, and the Committee sought to obtain non-judicial remedies for petitioners. In response to petitions, the Committee could, as appropriate, carry out fact-finding visits, draft resolutions or own-initiative reports for adoption by the European Parliament Plenary,

or table questions to the Commission or the Council of the European Union. Petitions often served as a source of input to the committees responsible for drafting legislation.

15. **Ms. Eichstädt** (European Ombudsman) said that the European Ombudsman investigated complaints from residents of and entities with registered offices in the European Union about maladministration, including breaches of the Convention, committed by European Union institutions and bodies, with the exception of the Court of Justice of the European Union acting in its judicial capacity. The Ombudsman was a member of the European Network of Ombudsmen and worked closely with the European Network of National Human Rights Institutions and the European Network of Equality Bodies.

16. The Commission monitored member States' application of European Union law, including the Convention, in areas of European Union competence and dealt with citizens' complaints of infringements of that law by national authorities, starting infringement proceedings if need be. The evidence provided by such complaints could inform the development of policy and legislation. A number of complaints had been received, for example, concerning the regulations governing the European Union Structural Funds, which had been amended to ensure full respect for the rights of persons with disabilities.

17. The European Union Agency for Fundamental Rights did not deal with complaints but collected data on the situation on the ground. Its research had highlighted a lack of awareness of rights and of complaints mechanisms and a dearth of accessible information in that regard. The Agency had, moreover, identified laws in 19 member States that prevented persons deprived of legal capacity from accessing justice directly. To address those problems, the Agency had set up the "Complaints, Legal Assistance and Rights Information Tool for You" (CLARITY), a pilot online tool to help complainants contact the appropriate non-judicial complaints body.

18. The number of complaints received by the European Disability Forum had increased over the past few years owing to the economic crisis and austerity measures. The rights of persons with disabilities were increasingly being undermined, and the European Union and its member States were failing to fully implement disability policies. The number of persons with disabilities without jobs or at risk of poverty had increased across the European Union. The lack of human and financial resources allocated to the European Union Framework for the Convention on the Rights of Persons with Disabilities created challenges for those persons in claiming their rights. It was important to build stronger links with national monitoring mechanisms in order to enable persons with disabilities to effectively claim and defend their rights.

19. **The Chairperson** said that the appearance before the Committee of the European Union delegation was a historic event. At the same time, the independence of Committee members was paramount, and Mr. Lovász, Ms. Pavey, Ms. Peláez Narváez and Mr. Ruskus had therefore decided not to participate in the discussion.

20. **Mr. Tatić** (Country Rapporteur) said that the European Union was to be commended on the European Disability Strategy with its focus on empowerment and on the prohibition on discrimination contained in its fundamental instruments. He also welcomed the fact that accessibility was taken into account in the various directives and regulations on transport. He was pleased to note the measures taken to ensure that the use of Structural Funds was in line with the provisions of the Convention; those member States that nevertheless channelled European Union funding towards institutional care must be urged to use it instead to promote independent living, community-based services and full inclusion. Likewise, while the European Union had done much to promote the sustainable development agenda, as a major global donor it must ensure that its development assistance was disability-inclusive.

21. It was regrettable that the European Union's efforts to tackle disability-based discrimination were limited to employment and vocational training and that the existing directives on the prohibition of discrimination in respect of social security, health care, education and access to goods and services failed to refer to disability. In that connection, the new cross-cutting directive on equality should explicitly prohibit discrimination on the basis of disability and state that denial of reasonable accommodation constituted discrimination. Another concern was the delay in adopting the European Accessibility Act, the latest version of which had not yet been seen by civil society stakeholders.

22. The issues of partial or full withdrawal of legal capacity and the persistence of guardianship regimes remained to be addressed. Moreover, many persons with disabilities, in particular psychosocial or intellectual disabilities, continued to be deprived of their liberty and placed in institutions without their free and informed consent. The fact that a number of children with disabilities had been denied the right to enrol in European Schools, which were within the sole competence of the European Union, was a matter of concern, as was the continued denial of many European Union citizens' right to vote in European Parliament elections. Lastly, he wished to underscore that, while the European Union monitoring mechanism under article 33 was complex, it must be in line with the Paris Principles.

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23. **Mr. Langvad** said that, although the number of persons with disabilities in the European Union was probably larger than the number of unemployed persons, its efforts appeared to focus disproportionately on the latter group. He asked how the European Union ensured that its existing and proposed instruments were analysed in the light of all the articles of the Convention. He also wished to know how it consulted with persons with disabilities and their representative organizations on expenditures, in particular the use of Structural Funds to support deinstitutionalization. Could he dare to hope that the European Union would make it a policy to ask member States to return any misspent funds? Lastly, in view of impending budget cuts, he wondered how the European Union would ensure that disabled persons' organizations had the financial resources to play the role assigned to them under the Convention.

24. **Mr. Al-Tarawneh** asked when it was planned to adopt the European Accessibility Act. He wished to know what happened when a European framework or directive and a law in a given member State were contradictory and whether the European Union supported activities to raise awareness of the Convention in its member States. Information on the impact of the use of Structural Funds to support civil society organizations devoted to disability issues and human rights in general would also be welcome.

25. **Ms. Kingston** said that she was struck by the composition of the delegation, which appeared to consist mostly of representatives of the Directorate-General for Employment, Social Affairs and Inclusion, whereas responsibility for human rights and anti-discrimination efforts lay largely with the Directorate-General for Justice and Consumers. Furthermore, a proposed horizontal directive on the principle of equal treatment had apparently been blocked by the Council of the European Union, yet neither the Council nor the European Parliament was represented on the delegation.

26. She understood that the European Commission had lacked a legal basis to introduce legislation in some areas covered by the European Disability Strategy and that it would support national efforts to do so instead. In that connection, she wondered why those areas did not include those addressed by articles 14 and 19 of the Convention. She asked whether there were any plans to revise the Strategy to ensure that it applied not only to the Commission but also to the European Parliament and the

member States, which shared responsibility for implementing the Convention. In addition, she wished to know whether the European Union intended to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

27. **Ms. Degener**, noting the import of the delegation's appearance before the Committee, urged delegation members not simply to retreat to the cover of shared competence or the principle of subsidiarity when they were asked questions about the implementation of the Convention. In any event, it was always possible for the European Union to lead awareness-raising campaigns, fund research and make other such efforts in areas that fell outside its competence.

28. She asked when and how the European Union intended to study the compatibility of its legislation and policies with the Convention and how it would use the results of any such study. She also wished to know when the Union planned to declare the extent of its competence with respect to matters governed by each of the articles of the Convention.

29. The delegation should indicate when the European Union Strategy for Equality between Women and Men post-2015 would be adopted and how women with disabilities would be involved in the Strategy. Information on what European Union programmes did to protect women with disabilities from sexual violence and other forms of abuse would be welcome. She would also appreciate an explanation of how issues of concern to persons with disabilities and their family members would be included in the new initiative to address the challenges faced by families in achieving work-life balance. She wondered whether the European Union Agenda on the Rights of the Child would be followed by an instrument that took into account the rights of children with disabilities. Lastly, she asked the delegation to provide information on how such children were consulted on matters affecting them.

30. **Ms. Quan-Chang** said that she would welcome an explanation for the designation of the Directorate-General for Employment, Social Affairs and Inclusion as the focal point for matters relating to the implementation of the Convention. She wondered what steps the European Union was taking to ensure that its studies of the impact of proposed legislation took the Convention fully into account. She asked whether there were any plans to adopt rules requiring organizations of and for persons with disabilities to be consulted on the use of Structural Funds and international development aid. She would appreciate information on the timeline for the adoption of the proposed directive on the principle of equal treatment. Further information on training available for the staff members of all European Union institutions on the rights of persons with disabilities would also be welcome.

31. **Mr. Kim Hyung Shik** said that, although the European Disability Strategy appeared ambitious, it was not an adequate substitute for strategies on how to implement each article of the Convention. It was also rather unclear. He asked how the European Union monitored the Strategy's implementation and what obstacles there were in that regard; whether thought had been given to designating a cross-cutting focal point for the Strategy; and what its estimated budget was. He also wished to know how it could have happened that European Union funds had been used not to combat the institutionalization of persons with disabilities but to strengthen it.

32. **Mr. Basharu** asked if the European Union had determined whether its numerous awareness-raising campaigns had had an impact on public awareness of disability issues, whether persons with disabilities and their representative organizations had participated in those campaigns and what role the media had played, if any.

33. **Mr. Parra Dussan** asked what the biggest challenge to bringing European legislation into line with the Convention was and why discrimination on grounds of disability had not been covered by a specific directive.

34. **Mr. Babu**, expressing the hope that such organizations as the African Union would follow the example of the European Union and ratify the Convention, asked whether persons with disabilities in the European Union were aware of their rights in respect of cross-border health care and whether it was true that the directive governing those rights prevented persons with particular disabilities in some member States from seeking treatment in another. Was freedom of movement not one of the core tenets of the European Union?

35. **Mr. Pyaneandee** asked what the European Union proposed to do to bring all of its legislation into line with the Convention. Noting that, as a result of the system of shared competence, the complexity of the monitoring mechanisms and the impact of austerity measures, litigants with disabilities in the European Union did not appear to be on a level playing field, he asked what measures, such as reasonable accommodation, were planned to ensure that they were able to assert their rights effectively in accordance with article 5 of the Convention.

36. **Mr. Buntan** asked whether any of the various oversight mechanisms had received evidence of the misuse of European Union Structural Funds by member States to perpetuate the institutionalization of persons with disabilities. Had there been any cases in which funds had been withdrawn or returned because they were not being used in line with European Union disability policy? He also wished to know what obstacles were preventing the European Accessibility Act from being adopted and when the draft text would be shared with organizations of persons with disabilities.

37. **The Chairperson**, speaking in her personal capacity, asked why the European Union had not ratified the Optional Protocol to the Convention. She wondered whether the European Commission had instituted any infringement proceedings against member States for failure to comply with the Convention. She wished to know whether, following the mid-term evaluation in 2015, the objectives of the European Disability Strategy would be brought into line with the Convention. She asked what percentage of Structural Funds had been allocated to the implementation of the Convention at the time of ratification and where that figure stood in 2015. She wondered what legislative instruments the European Union had adopted in areas of shared competence in relation to persons with disabilities. It would be interesting to hear how the principle of the free movement of goods, services and persons applied to people with disabilities, for example with respect to the provision of social protection and personal assistance to persons who moved to another European Union member State. Lastly, she wished to know what impact the European Union Agenda on the Rights of the Child was having and whether there had been any research to evaluate the impact of the Convention on the daily life of persons with disabilities.

The meeting was suspended at 4.35 p.m. and resumed at 5 p.m.

38. **Mr. Servoz** (European Union) said that the rules to ensure the use of European Union funds for projects consistent with the Convention's objectives had been somewhat loose under the monitoring system in place between 2007 and 2013, but that the control system introduced in 2014 was much stricter. In accordance with ex-ante conditionalities, funding could be withdrawn if a member State project was not in line with the Convention. The European Union had a clear policy that its funds should not be used to perpetuate institutionalization but rather to support independent living. It was possible that member States might still be implementing older projects for which funding had been granted in the period 2007-2013. Organizations of persons with

disabilities participated in monitoring the use of European Union funds at the national level.

39. The European Commission took very seriously its responsibility to monitor the enforcement of European Union legislation by member States and initiated infringement proceedings before the European Court of Justice in the event of non-compliance; five such cases were currently open in relation to the directive on equal treatment in employment, two of which concerned disability issues.

40. The European Accessibility Act had been drafted in 2014; however, the previous European Commission had deliberately decided not to move forward with the Act as its term of office had been about to expire and it had considered it essential for the new Commission to take ownership of such an important piece of legislation. Significant efforts had been made in recent months to put the final touches to the draft, which would be adopted by the Commission very soon. After that, the Parliament and the Council of the European Union, as co-legislators, would discuss the proposal. Once the draft had been adopted by the Commission, a second round of consultations with organizations of persons with disabilities and other stakeholders would be opened; the co-legislators could then discuss amendments to the draft legislation on the basis of the contributions received.

41. Disability had come under the remit of the Directorate-General for Employment, Social Affairs and Inclusion until 2009, when responsibility had been transferred to the Directorate-General for Justice and Consumers. On taking office, the new President of the European Commission had decided to return disability to the employment portfolio on the grounds that many disability issues related to employment and social protection. However, the Directorate-General for Employment worked very closely with the Directorate-General for Justice and Consumers, and the latter had in fact retained responsibility for certain matters, such as the equal treatment directive. As focal point for the implementation of the Convention, the Directorate-General for Employment was responsible for ensuring that disability issues were mainstreamed into the work of all Commission services. The Council of the European Union was represented in the dialogue with the Committee by representatives of each member State and, as a member of the European Union Framework for the Convention on the Rights of Persons with Disabilities, the Parliament also formed part of the delegation.

42. Although the European Disability Strategy had been adopted prior to the Convention's entry into force for the European Union, it was considered that the priorities and objectives set out in the Strategy were fully in line with the Convention and were thus valid for the remaining five years. The Committee's recommendations would be taken into consideration in the evaluation that was under way, and a progress report would be published on the implementation of the Strategy. The Commission was responsible for implementation of the Strategy and also coordinated the actions of member States to ensure that they were consistent with the objectives of the Strategy and the Convention. Coordination was undertaken by the Disability High-Level Group, which met every semester and was composed of representatives of all member States and civil society; the Work Forum on the Implementation of the Convention, which met once a year with member States and disability organizations; and the Human Rights Working Group. In areas that fell outside the competence of the European Union, the Commission could still carry out monitoring, through such mechanisms as the European Semester for social and economic policy coordination, whose 2015 reports on members States in many cases addressed disability issues. The Commission also highlighted examples of best practice in member States, for example through the annual Access City Award, which recognized actions designed to improve accessibility for persons with disabilities.

43. The public consultation on gender equality had recently concluded, and the Commission was now analysing the results. The European Union had put in place a legal framework at European level to protect women from violence, including legislation on sexual harassment in the workplace, victims of crime and human trafficking. A response to the question on whether the European Union intended to ratify the Istanbul Convention would be provided in writing. A proposal on maternity leave had been blocked in the Council of the European Union for a number of years. It had therefore been decided to withdraw it and to develop a more comprehensive approach.

44. Details of awareness-raising and capacity-building projects that had received European Union funding would be provided in writing. By way of example, an Austrian project to share practices on independent living had been allocated approximately 125,000 euros, and a project in Malta to provide training to persons with disabilities on rights and advocacy skills had been granted 112,000 euros.

45. Under the new rules on better regulation, Commission officials working on legislative proposals had to indicate explicitly whether the initiative was in conformity with the Convention. The equal treatment directive, which took fully into account the rights of persons with disabilities, had indeed been stalled, but the Commission President had made an express commitment to unblock the situation, and it was hoped that progress would be made in the coming months. There was no doubt as to the independence of the Framework, each member of which was independent in its own right. The Commission had proposed ratifying the Optional Protocol to the Convention in 2009, but at the time the Council had decided to give priority to the Convention itself. The matter was still under discussion, however.

Articles 11-20

46. **Mr. Basharu** asked what provision was made for persons with disabilities in situations of risk and emergencies within the European Union and what steps were taken to ensure that the 112 single European emergency number was accessible to persons with disabilities, including deaf persons. He expressed concern that Directive 2004/38, under which member States were not obliged to grant social assistance to non-economically active European Union citizens during the first three months of residence in their territories, could be discriminatory towards persons with disabilities.

47. **Ms. Quan-Chang** said that she wished to know whether the European Joint Action on Mental Health and Well-Being included provision to prevent the institutionalization of persons with psychosocial disabilities and to ensure that they were not subjected to medical treatment without their informed consent.

48. **Ms. Kingston** asked how the European Commission intended to ensure the participation of persons with disabilities in formulating its humanitarian guidelines on shelter and settlements. She wondered how the Gender-Age Marker Toolkit for humanitarian action, developed in 2013, would measure the impact of policies on persons with disabilities, since it made no mention of disaggregating data on that basis.

49. She wished to know what steps the European Union was taking to eliminate restrictions on access to justice based on legal capacity status, and how accessible communications and victim support services were guaranteed in the legal sphere. She was concerned at reports that, in a number of European States, persons deprived of legal capacity also lost their right to vote, and she would welcome more information about how adults with disabilities received the support necessary to exercise that right in elections to the European Parliament.

50. Regarding the use of Structural Funds to support institutions for disabled persons, she wished to know whether there were any plans to make reparation to persons in institutions that had received European financing and how many times the European Union had exercised its power to recall funds. Lastly, it was still not clear exactly how persons with disabilities were involved in monitoring the use of the funds; more information in that regard would be appreciated.

51. **Ms. Degener** said she would welcome an assurance that provision would be made for persons with disabilities in the new maternity leave directive and in programmes designed to address sexual violence and harassment.

52. The European Union could promote a common approach to the implementation of article 12 of the Convention, which posed a challenge for a number of its member States. She wished to know what steps were being taken to ensure that persons deprived of legal capacity could exercise their rights and whether there were any plans regarding supported decision-making.

53. The delegation should provide information about European Union-funded research and its compliance with article 15 of the Convention, which prohibited medical or scientific experimentation without the subject's consent. She also wished to know whether there were any guidelines on informed consent and supported decision-making in that regard. What steps were taken to ensure that the European Union did not fund research that involved the use of restraint and other non-consensual practices on persons with psychosocial disabilities?

54. **Mr. Babu** said that he wished to draw the delegation's attention to the results of a recent survey of persons with disabilities, according to which 75 per cent of those persons did not have adequate access to basic services, while 33 per cent of women and girls had suffered abuse.

55. The European Union's stated intention of mainstreaming the needs of persons with disabilities into operations within all sectors of humanitarian aid was likely to be hampered by the absence of a designated disability focal person in the Humanitarian Aid and Civil Protection Department. The failure to take account of persons with disabilities in the 2013 Gender-Age Marker Toolkit had been a missed opportunity, and he wished to know what measures would be taken to ensure the systematic and proactive inclusion of persons with disabilities in all future humanitarian aid policies.

56. **Mr. Langvad** said that he had still not understood what support was being given to independent organizations of persons with disabilities in order to help them give the necessary guidance to the European Union. He would appreciate further details about how children with disabilities were able to make their voices heard, both individually and within representative organizations. He wondered how long the Committee would have to wait to see action taken on pressing issues, such as the use of European funding to support activities that violated the Convention.

57. Specific examples of supported decision-making would be welcome. He wished to know when the European Commission would follow up on the European Parliament's recommendation to ban forced sterilization. It was important for the European Union to take the lead in guaranteeing universal independent living, which was not just about social services but also involved other aspects such as transportation and being active in the local community.

58. **Mr. Kim** Hyung Shik asked how the States members of the European Union harmonized efforts and pooled resources with regard to international humanitarian aid. In the light of the Paris Principles on aid effectiveness, he wished to know how the European Union worked with organizations of persons with disabilities, both in Europe and in developing countries, to implement aid plans and budgets.

59. **Mr. Pyaneandee** asked whether the European Commission took the lead on the issue of access to justice for persons with disabilities, or whether it was left to the member States to decide on the manner and form of their implementation of article 13.

60. **Mr. Tatić** said that he would appreciate further details about the involvement of organizations of persons with disabilities in the process of adopting the European Accessibility Act. In the face of the current migrant crisis, he wished to know how the European Union intended to ensure that its aid was provided in a disability-inclusive manner. He had been happy to hear about the intention to increase employment rates among persons with disabilities. However, those rates depended on accessibility, of transport and information and communications, for example, and on the availability of inclusive education, among other factors, and action in those areas was being adversely affected by the austerity measures in place in many European States. He wished to know whether the European Commission had made an assessment of the impact of austerity measures in that regard.

61. **Mr. Buntan** asked what steps had been taken to turn the Sendai Framework for Disaster Risk Reduction 2015-2030 into reality, while ensuring that it remained accessible to and inclusive of persons with disabilities. He invited the delegation to consider a scenario wherein a member State received European funding to hold elections in which persons with psychosocial or intellectual disabilities were not allowed to participate and asked whether that would constitute a violation of the Treaty on European Union. Did the European Union have any way to investigate whether its funds were thus being used to perpetuate a deprivation of political rights and would it consider withdrawing them in such a case?

62. **The Chairperson** said that the Committee was looking forward to receiving fuller and more concrete answers to its questions at the following day's meeting. Speaking in her personal capacity, she noted that the delegation had yet to explain what percentage of Structural Funds was currently being allocated to disability issues and whether that figure had changed since the European Union had ratified the Convention. In the light of European Union directives, her expectation was that the allocation would be steady and constant, at least with regard to employment. She wondered how, within the framework of the Convention, the European Union fulfilled its obligation to support States facing economic difficulties, as persons with disabilities were often the first to be affected by such problems.

63. She was gratified by the presence at the meeting of representatives from so many States members of the European Union but was disappointed that the presidency of the Council of the European Union was not represented. She wished to know whether the Disability High-Level Group was a consultative body or a mechanism for coordination among States.

64. Given that the European Union had shared competence in the areas of freedom, justice and security, she wondered why it had not legislated on article 12. It was still not clear to her how the application of the principle of the free movement of persons, goods and services affected people with disabilities. She had also not received a response to her question about the impact of the ratification of the Convention on the everyday life of European citizens. Lastly, she wished to know how statutes relating to citizenship, asylum and refugees were applied to persons with disabilities.

The meeting rose at 6.05 p.m.