



# 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 second and third periodic reports of the European Union at its 770th and 772nd meetings, 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 second and third periodic report of the European Union, which was submitted pursuant to the simplified reporting procedure in reply to the list of issues prior to reporting prepared by the Committee.
3. The Committee appreciates the constructive dialogue held with the State party's delegation headed by H.E. Ms. Hadja Lahbib, Commissioner for Equality, Preparedness and Crisis Management at the European Commission. The Committee also appreciates the participation of representatives of the European Parliament, the European Ombudsman, and the Fundamental Rights Agency, 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, including the following:
  - (a) The 2024 adoption of the law on combating violence against women and domestic violence, and the revised Anti-Trafficking Directive;
  - (b) The adoption, in 2024, of the two directives on standards for equality bodies;
  - (c) The European Parliament Resolution on "Harmonising the rights of autistic persons" ([2023/2728\(RSP\)](#) of 4/10/2023);
  - (d) The Regulation establishing the Horizon Europe (2021– 2027) programme;
  - (e) The adoption, in April 2019, of the European Accessibility Act;
  - (f) The adoption, in 2016, of the Web Accessibility Directive;
  - (g) The adoption of the Union of Equality: Strategy for the Rights of Persons with Disabilities 2021-2030, in March 2021;
  - (h) The new Gender Action Plan (GAP III) aimed at promoting gender equality and women's empowerment across all of the EU's external actions for 2021-2025;

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

- (i) The adoption, in 2021, of the new Strategy on the Rights of the Child;
  - (j) The 2021 EU Humanitarian Aid Communication and the 2019 Operational Guidance on the Inclusion of Persons with Disabilities in EU-funded Humanitarian Aid Operations.
5. The Committee also welcomes the European Union's ratification of the Council of Europe's Convention on preventing and combating violence against women and domestic violence, "the Istanbul Convention", 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 EU law cannot be directly assessed in light of the Convention, and the rights guaranteed by the Convention do not have direct effect in EU law;
  - (b) That even after the Constructive Dialogue with the EU's delegation, 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 EU law can be directly assessed in light of the Convention;**
  - (b) **Clarify that it accepts the Committee's interpretations of the Convention, including those espoused in its General Comments, as authoritative;**
  - (c) **Consider the ratification of the Optional Protocol to the Convention.**
8. The Committee observes with concern that:
- (a) Legislation, policies and practices have not been systematically reviewed in light of the Convention, as recommended in the previous Committee's Concluding Observations, and that draft legislation, such as the Regulation on cross-border protection of adults, does not conform with the rights guaranteed by the Convention;
  - (b) While the European Union prepared an updated overview of the acts relevant for the implementation of the Convention in 2017, a formal update of the declaration of competences under Article 44 (2) and its list of instruments in the appendix, as recommended by the Committee in its previous Concluding Observations, have not been undertaken.
9. **The Committee recalls its previous Concluding Observations and recommendations (CRPD/C/EU/CO/1, para. 9 and 17) 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 adhere to the Convention, including by revising its impact assessment guidelines;**
  - (b) **Update the declaration of competences under Article 44(2) and its 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 Office of the High Commissioner for**

**Human Rights for Europe, to facilitate its efforts to implement the general obligations under the Convention.**

10. The Committee notes with concern that the persistence of the medical model of disability and the lack of harmonization about disability assessments across member states.

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

(a) **Ensure that the EU and its Member States follow the human rights model of disability and harmonize their disability assessment in all areas EU of competences, 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) **In Cooperation with its Member States, ensure the portability of social security benefits of persons with disabilities among Member States, including by extending the scope of mutual recognition of disability status through the 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 (“Disability Rights Strategy”) ended in 2024, and that 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 Disability Rights Strategy for the period 2025-2030, in close consultation and active involvement of persons with disabilities through their representative organizations, and to 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 EU Member States allocate EU 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 of processes monitoring them.

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

16. The Committee is concerned that:

(a) Various instruments for the participation of organizations of persons with disabilities are not representative of persons with disabilities in the European Union and are not fully informed and accessible, are not legally entrenched, and that the organizations’ views 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 and 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 and participation in independent monitoring of the Convention.

17. The Committee recommends that the European Union establish new mechanisms for the close consultation and active involvement of persons with disabilities, including children with disabilities, through their representative organizations, and strengthen existing mechanisms in all areas of EU 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 their accessibility and the full information of all participants, by ensuring that the views of persons with disabilities are in fact heard and seriously considered, and by providing sufficient financial support to organizations of persons with disabilities to protect their independence and to 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 concluding observations and recommendations (para. 19) and its general comment No.6 (2018) and recommends that the European Union:

(a) Undertake sustained efforts to generate the necessary political support 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;

(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) EU legislation and policies on gender equality and disability insufficiently protect the rights of women with disabilities, in particular that the EU Gender Equality Strategy for 2020-2025 and the 2021-2030 Strategy on the Rights of Persons with Disabilities 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 EU external action do not systematically consider experiences of multiple and intersectional discrimination;

(c) The views of women and girls with disabilities have not been consistently incorporated in 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 EU 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 across all legislation and policy frameworks and programmes, and expand the scope of the Gender Equality Strategy to include the rights of women with disabilities to work and employment, and the rights of women and girls with disabilities to political participation, 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 in institutions, belonging to ethnic minorities, and in situation of migration;**

(c) **Ensure close consultation and active involvement of women and girls with disabilities through their representative organizations in the preparation and implementation of the EU 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 EU external action in partner countries, and closely consult and actively involve their representative organizations, in the EU and in partner countries, in the development of data collection systems that identify their diverse lived experiences.**

#### **Children with disabilities (art. 7)**

**22. The Committee is concerned about:**

(a) Institutionalization, violence and exclusion of children with disabilities across EU Member States, and the insufficient mainstreaming of the rights of children with disabilities in EU legislation and in legislation of Member States transposing EU 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 in institutions, and in situations of migration;

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

(a) **Consistently mainstream the rights of children with disabilities across all children rights legislation, policies and projects, and introduce effective measures against institutionalization in its internal and external action and in the implementation of the Child Rights Strategy, 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, living in institutions, and 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 and 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 the criminal provisions against hate crimes to disability, and bring them to fruition;

(b) Adopt a sufficiently endowed strategy to raise awareness about the rights of persons with disabilities, including persons with intellectual and/or psychosocial disabilities and autistic persons, which highlights the dignity of persons with disabilities and their contributions to society; and closely consults and actively involves 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 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) Regulation 2024/1670 on the Trans-European Networks (TEN-T) lacks clarity on implementation, lacks references to the European Accessibility Act, and does not mandate expert consultation and 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 websites and mobile applications of schools, kindergartens or nurseries;

(e) The gaps of accessibility requirements in digital legislation, such as in the Digital Services Act, that considers accessibility as voluntary good practice, or in the general objectives for the Digital Decade policy programme 2030, that 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 and active involvement of persons with disabilities, through their representative organizations:**

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

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

(c) Amend Regulation 2024/1670 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 intranet and extranet and delete its Article 1 (5);**
- (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 received financial support from EU funds, including during the COVID-19 pandemic, without sufficient preventive measures and redress mechanism;**
- (b) Discriminatory medical protocols and higher mortality rates of persons with disabilities in institutions, particularly during the COVID-19 pandemic, and in situations of armed conflict in neighbouring countries.**

29. **The Committee recommends the European Union:**

- (a) Adopt, within its competences, concrete initiatives and actions in the second half of the Disability Rights Strategy, to prevent deaths of persons with disabilities in institutions, including by:**
  - (i) Developing standards for Member States on the prevention and investigation of deaths in institutions that received EU funding, providing funds to increase Member States' capacity in this area, and by aligning other strategies on health and long-term care with this objective;**
  - (ii) Requiring to thoroughly investigate violence against and deaths of persons with disabilities in institutions that receive funding from the EU, and by including data collection on cases of deaths in of persons with disabilities in institutions in Eurostat's responsibilities;**
  - (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 ensuring equal access to life-saving treatments, particularly during health emergencies, and align EU 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;**
- (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 concluding observations (paras. 33 and 35), the Sendai Framework for Disaster Risk Reduction 2015 – 2030, the Inter-Agency Standing Committee Guidelines on Inclusion of Persons with Disabilities in Humanitarian Action and the Committee's Guidelines on deinstitutionalization, including in emergencies, the Committee recommends that the European Union, in close consultation and active involvement of persons with disabilities, through their representative organizations:**

- (a) Ensure that the EU 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 and rights of the Convention;**

**(b) Promote disability-inclusive responses to prevent avoidable deaths in emergencies, establish close consultation and 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 within 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 its competences to work towards the removal of guardianship regimes and restrictions of 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 considers authorizing its Member States to ratify the Hague Convention of 13 January 2000 on the international protection of adults, thereby providing cross-border recognition of, inter alia, substitute decision-making regimes;

(c) That barriers remain for persons with disabilities in the European Union to control their property and financial affairs, and to have 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 and active involvement of persons with disabilities, through their representative organizations:**

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

**(b) Halt efforts to authorize EU Member States to join or remain parties to the Hague Convention of 13 January 2000 on the International Protection of Adults; do not proceed with the proposed Regulation COM/2023/280 final, and do not proceed with the proposed Council Decision COM(2023) 281 final/2;**

**(c) Devise legislation eliminating discrimination of persons with disabilities to control their property and financial affairs, including to access 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 particularly 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, its previous Concluding Observations and Recommendations (para. 39) and recommends that the European Union, within its competences:**

**(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 by establishing remedies for violations of their right to access to 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 a dialogue with the persons with disabilities concerned to identify their requirements and positive measures to remove physical, communication and attitudinal barriers, a non-exhaustive list of procedural accommodations available, including the provision of legal documents and information on procedures in Easy Read, Braille, augmentative and alternative means and modes of communication;**

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

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

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

#### **Liberty and security of the person (art. 14)**

36. The Committee is concerned about:

(a) The lack of action by the European Union under its competences to abolish 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, children, older persons, and migrants with disabilities of 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 the Guidelines on the right to liberty and security of persons with disabilities<sup>1</sup> and its Guidelines on deinstitutionalization, including in emergencies<sup>2</sup>, the Committee recommends that the European Union take all measures within its competences necessary to:**

(a) **Abolish involuntary detention of persons with disabilities, including persons with intellectual and/or psychosocial disabilities, autistic persons, 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.**

#### **Optional Protocol to the Oviedo Convention of the Council of Europe**

38. The Committee expresses concern about the reluctance of the European Union to advise Member States to not proceed with the Draft Additional Protocol to the Oviedo Convention. The Committee reiterates that the draft additional protocol would legitimize 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 and the law of the Council of Europe.

39. **The Committee, recalling that all EU Member States are members of the Council of Europe and parties to the Convention, further 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 Optional Protocol to the Oviedo Convention on Bioethics](#) released in 2021 and 2025, and its Statement calling States**

<sup>1</sup> A/72/55, annex.

<sup>2</sup> CRPD/C/5.

parties to oppose the draft Additional Protocol to the Oviedo Convention (2018), 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 May 11, 2007 and in its capacity as State party to the Convention, urge Member States to withdraw from the Draft Additional Protocol to the Oviedo Convention;

(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 and active involvement of persons with disabilities, through their representative organizations.

**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 electro-convulsive therapy and other coercive practices;

(b) EU funding of research that de facto does not require that 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 EU external action.

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

(a) Develop initiatives and concrete actions as part of the second half of the Disability Strategy to align EU 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 EU funded research involving persons with disabilities does not allow surrogate decision-making, and explicitly require their personal, free and fully informed consent. Adopt guidelines for the provision of such consent, including from deaf persons and persons with intellectual disabilities;

(c) Establish mechanisms to prevent 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 are at heightened risk of violence and abuse, in particular women, older persons, LGBTIQ+ persons and children with disabilities, and persons with disabilities living in closed settings;

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

(c) Access to specialized services for victims with disabilities of gender-based violence is insufficient and that 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 the elimination of gender-based violence against women and girls with disabilities, the Committee recommends that the European Union:**

- (a) **Explicitly prohibit rape, forced sterilization and sexual harassment and other forms of gender-based violence against persons with disabilities;**
- (b) **Ensure that persons with disabilities, through their representative organisations, are closely consulted and actively involved in the implementation and monitoring of the Strategy on the Rights of the Child, the Istanbul Convention, the Directive on combating violence against women, and of the Anti-Trafficking Directive;**
- (c) **Combat violence 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 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 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 Parking Card do not encompass social security or social protection benefits essential for long-term relocation, and that 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 New Pact on Migration and Asylum (2024) does not sufficiently address the situation of persons with disabilities, and that migration and asylum procedures subject persons with disabilities to purely medical-based assessments and do not contain clear procedures for conducting assessments;
- (d) The limited protection of persons with disabilities in migration situations against detention, denial of access to territory and pushbacks.

47. **The Committee recalls its previous Concluding Observations and Recommendations (para. 49) 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 EU 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, 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 New Pact on Migration and Asylum respects the rights of persons with disabilities, and align policy and standards among**

**Member States to prevent detention, pushbacks and denial of access to territory of persons with disabilities in migrant situations;**

**(e) Develop reception modalities for migrants with disabilities that do not entail their detention, and seek technical cooperation of 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 EU's interpretation of the Convention on the permissibility of small group homes seems to deviate from the Committee's interpretation and that Guidance to Member States does not include redress for institutionalization;

(b) EU 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 EU law and/or financed by the EU funds;

(d) The current monitoring systems of the use of EU funds by Member States do not effectively ensure compliance with the obligations under the Convention, and that 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, the Committee recommends that the European Union, in close consultation and active involvement of persons with disabilities:**

**(a) Ensure that EU 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's Legal Service note of 29 June 2018 (Ares[2018]2249997);**

**(b) Ensure that no EU 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 EU funds for the construction and maintenance of institutional facilities, including small group homes, that the Disability Strategy 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, and that the European Union conduct and publish an impact analysis of previous funding, in close consultation and active involvement of persons with disabilities through their representative organizations;**

**(d) Amend the Commission Notice on Guidance on independent living in the context of EU 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;**

**(f) Strengthen monitoring and complaint mechanisms of the allocation of EU funds, by enhancing independence of monitoring committees at the national level, ensuring monitoring by national human rights institutions, persons with disabilities and their representative organizations, in the allocation of EU funds for disability-specific**

purposes, ensure effective access to justice for persons with disabilities and their representative organizations against the allocation of EU 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 targeting of investments, and collect and publish disaggregated data on the services provided and persons with disabilities utilizing them; prioritize investments for the development of accessible and affordable housing for persons with disabilities, personal assistance, centers 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 in all transport modes;

(b) Regulation TSI-PRM 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 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) Only 250 bus stops in the EU are designated to provide assistance and there is a lack of information on the frequency and content of training of bus and coach staff.

51. The Committee recalls its previous Concluding Observations and Recommendations (para. 53) and recommends that the European Union:

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

(b) Include comprehensive accessibility requirements for train stations and rolling stock in the upcoming TSI PRM revision, ensuring independent boarding and removing exceptions for double-decker trains and restaurant cars;

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

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

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

#### **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 limited availability of accessible formats, and national sign languages (NSLs) are not considered part of the EU's multilingualism;

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

(c) EU institutions' websites and social media, including 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 EU, with different certification schemes and provision models, creates barriers to access and choice.

**53. The Committee recalls its previous Concluding Observations and Recommendations (para. 55) and recommends that the European Union:**

**(a) Amend the Rules of Procedure of EU institutions to reflect the rights of deaf persons; recognize the 29 NSLs of the EU as official EU languages and increase availability of information in Easy Read format;**

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

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

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

#### **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 cannot 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.**

#### **Respect for home and the family (art. 23)**

56. The Committee is concerned that:

(a) The EU Care Strategy and the two accompanying Regulations do not encourage Member States to provide persons with disabilities with self-directed services in their home and in the community;

(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 home and their community, 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 education of children with disabilities; children with disabilities face difficulties to access regular schools due to a lack of qualified teachers and educational support staff, reasonable accommodation, accessible school buildings, standardized curricula that fail to meet the diverse needs of students with disabilities, and prejudice against them;

(b) The EU Regulation on artificial intelligence permits the use of AI for educational decision-making despite discrimination risks;

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

**59. The Committee recalls its previous Concluding Observations and Recommendations (para. 61) and its General Comment No. 4 (2016) and recommends that the European Union:**

**(a) Encourage Member States to fulfill 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 AI for decision making in education does not discriminate against persons with disabilities, as mentioned in the European Commission's 2022 Ethical guidelines on the use of artificial intelligence (AI) and data in teaching and learning for Educators;**

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

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

#### **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 or automatic attribution of health issues 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, the lack of reimbursement of disability-related expenses and the requirements of persons with limited mobility in Directive 2011/24/EU.<sup>61</sup>

**61. The Committee recalls its previous Concluding Observation and Recommendation (para. 63) 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 funding of the EU4Health programme to address health inequities for persons with disabilities;**

(c) **Revise the Patient Mobility Directive 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 EU lacks dedicated strategies for the provision of habilitation and rehabilitation services, their inclusion in cross-border healthcare coverage, and funding mechanisms;

(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 that 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 the Patient Mobility Directive;**

(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 WHO's Rehabilitation 2030 agenda;**

(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.**

#### **Work and employment (art. 27)**

64. The Committee is concerned that:

(a) Practices of segregated employment (see this Committee's General Comment No. 8 [2022] para. 14) 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, due to the lack of reasonable accommodation, disability stigma, prejudice and 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, part-time or low paid jobs, lower participation in full-time employment affecting particularly 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 aimed at employment of persons with disabilities in the open labour market that 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 collects disaggregated data about persons with disabilities in segregated employment;

(c) Continue and strengthen efforts to address discrimination of persons with disabilities in employment, including women and persons with intellectual and/or psychosocial disabilities, by, inter alia, enforcing the Equality Employment Directive across Member States and 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, particularly women with disabilities, autistic persons and persons with disabilities with intensive support needs;

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

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

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

(b) **In the second term of the Disability Rights Strategy, 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 EU Regional Development Fund in the process of revising EU funding regulations for the 2028-2034 period, and adopt concrete actions to enhance availability of affordable and accessible housing for persons with disabilities in the European Affordable Housing Plan.**

#### **Participation in political and public life (art. 29)**

68. The Committee is concerned about:

(a) Barriers to 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 the lack of accessible information;

(b) Barriers to access the European Parliament, European Commission and other EU buildings, including European Delegations in and outside Europe.

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

(a) **Ensure the right to vote and stand in elections for the EU 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 all EU buildings and institutions in and outside Europe accessible.**

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

70. The Committee is concerned that:

(a) The implementing Directive of the Marrakesh Treaty allows, as does the Marrakesh Treaty, Member States to require non-profit organizations that create accessible formats to pay compensation;

(b) Cultural performance venues, sites of historical significance 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) in the EU Directive for the implementation of the Marrakesh Treaty;**

(b) **Make accessibility a mandatory condition for EU 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 EU.**

## **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 disaggregated data 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 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 EU external action, leading to incoherence in external policies and programmes relating to persons with disabilities established with EU 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 and active involvement of persons with disabilities, through their representative organizations in EU external action, and a lack of such consultation and involvement in country-level consultations;

(c) Complex procedures for application to funding for organizations of persons with disabilities in EU external action;

(d) That despite capacity building measures by the European Union, its institutions still command limited institutional capacity to design and implement disability-inclusive international cooperation programmes.

**75. The Committee recalls its previous Concluding Observations and Recommendations (para. 75), and recommends that the European Union:**

(a) **Develop and implement a comprehensive disability action plan and improve coordination of existing policies in EU external action to implement the Convention in all international assistance programmes, and within the negotiations of the UN conference on Financial for Development;**

(b) **Continue increasing Official Development Assistance programmes on disability inclusion, in alignment with the OECD DAC Disability Marker, and ensure that the next Multiannual Financial Framework for EU external action is compatible with the Convention, promotes disability inclusion and has an intersectional approach;**

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

(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 EU staff and partners implementing EU-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 concluding observations and recommendations (para. 77) 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 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 Paris Principles, lacking, 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 European Parliament to an advisory role, 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 EU 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.

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

##### **General obligations (arts. 1-4)**

80. The Committee is concerned that employees with disabilities at the European Union and their 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 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 confidentiality of information, and guarantee the right to appeal decisions on the recognition of disability status.

82. The Committee notes with concern that EU institutions lack a comprehensive strategy for the implementation of the Convention for staff members with disabilities, visitors and participants with disabilities in activities of the EU 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 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 EU activities;

(b) Ensure that all EU 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 EU institutions, depending on the responsible line manager's understanding of the Convention.

85. The Committee recalls its previous concluding observations and recommendations (para. 79) and recommends that the European Union establish a legislative and policy framework applicable to all EU 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 EU 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 EU 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 EU 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 merely non-functional requirement.

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

#### **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 EU 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 the European Union and that hence EU 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 of students with disabilities to access European schools of the EU 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, 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 EU's Joint Sickness Insurance Scheme (JSIS) 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 the European Union revise the JSIS 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 participation in the European Union remain largely inaccessible to persons with disabilities.

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

**Statistic and data collection (art. 31)**

102. The Committee is concerned about the lack of information on the number of persons with disabilities working in EU 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 State party 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 European Union's attention to the recommendations contained in paragraphs 27 on accessibility, 49 on living independently and being included in the community, and 32 on international cooperation.

106. The Committee requests the European Union to implement the recommendations of the Committee as contained in the present concluding observations. The Committee 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 State party to involve civil society organizations, in particular organizations of persons with disabilities, in the preparation of its periodic report.

108. The Committee requests the State party 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 government website on human rights.

**Next periodic report**

109. The combined fourth and fifth 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 parties (see A/RES/79/165, para. 6) and following the adoption of a list of issues and questions prior to reporting for the State party. The combined periodic reports should cover the entire period up to the time of its submission.

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