

Opinion of the Economic and Social Committee on the 'Proposal for a Council Decision on the European Year of People with Disabilities 2003'

(2002/C 36/15)

On 28 June 2001, the Council decided to consult the Economic and Social Committee, under Article 262 of the Treaty establishing the European Community, on the above-mentioned proposal.

The Section for Employment, Social Affairs and Citizenship, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 3 October 2001. The rapporteur was Mr Cabra de Luna.

At its 385th plenary session of 17 and 18 October 2001 (meeting of 17 October) the Economic and Social Committee adopted the following opinion unanimously.

1. Introduction

1.1. There are currently 37 million disabled people in the European Union⁽¹⁾ who continue to face environmental, social, economic and cultural barriers in their daily lives. In addition, the pressure to promote a barrier free Europe will intensify with an ageing population; in 2020 over one in five of the population of the EU will be over sixty years of age.

1.2. The European Year of People with Disabilities 2003 will provide an important opportunity to raise awareness of disability issues and of the diversity of the disability movement. It is an opportunity to make disabled people and the barriers they face more visible in society⁽²⁾. It will draw the attention of the general public to the significant and wide-spread environmental, procedural and attitudinal barriers disabled people face in their daily lives. The European Year can lead to the improvement of attitudes by society and reinforce political commitment for concrete measures to promote the equalisation of opportunities for people with disabilities in the EU.

1.3. To make integration of disabled people in society a reality requires the involvement of all European actors, especially the social partners who have a major role to play in improving attitudes held by society, particularly vis-à-vis the labour market and other related fields such as education and vocational training.

Education is the key to ensuring a person's success in social integration, including the labour market. Disabled children and young people face discrimination in access to education and training systems at all levels, and as a result receive a

substandard education. This problem must be overcome, and more effort must be made by policy makers and education professionals to promote the integration of disabled children and young people into mainstream education. An integrated approach benefits both non-disabled and disabled children alike and provides an important means to break down attitudinal barriers towards disabled people in society.

1.4. The year 2003 marks an important milestone for disabled people as the 10th anniversary of the United Nations Standard Rules on the Equalisation of Opportunities for disabled people⁽³⁾ which led to political recognition and advocacy for the human rights and social model of disability as opposed to the medical model which presented people with disabilities as passive recipients of aid.

1.4.1. The human rights and social model of disability is reaffirmed by the Council Resolution⁽⁴⁾ and European Commission communication on the equality of opportunity for people with disabilities of 1996⁽⁵⁾ and is supported by the Committee's Report of November 1996⁽⁶⁾.

1.4.2. The UN Standard Rules and the supporting EU positions make explicit the essential need to promote the full involvement of representatives of people with disabilities and their families in all decisions that concern them. No decisions or actions concerning disabled people should be undertaken without the full involvement and consultation of them and their families via their representative organisations both of the local, regional, national and European non-governmental organisations, without prejudice to the relevant role of other representative entities.

⁽¹⁾ European Commission communication 'Towards a Barrier Free Europe for People with Disabilities' COM(2000) 284 final.

⁽²⁾ A report presented at the European Day of Disabled People in 1995 defined the status of disabled people in the European Union as that of invisible citizens.

⁽³⁾ UN Resolution 48/96, 20 December 1993.

⁽⁴⁾ OJ C 12, 13.1.1997.

⁽⁵⁾ COM(96) 0406.

⁽⁶⁾ OJ C 66, 3.3.1997.

1.5. The European Commission recently published the Euro barometer Survey (April 2001)⁽¹⁾ which identifies that six Europeans in ten know someone with a disability and 97 % of respondents think that something more should be done to ensure better integration of disabled people into society.

1.6. The aims and objectives for the proposal for the European Year of People with Disabilities 2003 are also consistent with those of the European employment and social inclusion strategies which seek to promote measures which will accelerate full and equal integration of disabled people into the labour market and into society.

1.7. Article 13 of the EC Treaty on non-discrimination provides the clear legal base for the proposal for a European Year of People with Disabilities in 2003. Article 13 of the TEC states that 'the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation'.

1.7.1. The Committee recognises that the European Year for People with Disabilities in 2003 will facilitate effective implementation of the general framework Directive for equal treatment in employment and occupation non-discrimination 2000/78/EC⁽²⁾ and complements the activities supported by the Community programme to support legislative measures at Community and Member State level set up by the Council Decision 2000/750/EC⁽³⁾.

1.7.2. The European Year of People with Disabilities 2003 would promote the principles set down in the Charter of Fundamental Rights⁽⁴⁾. Article 21 of the Charter of Fundamental Rights of the European Union prohibits discrimination based on grounds of disability, among others, and Article 26 provides explicit recognition of the rights of persons with disabilities and the need to ensure their independence, social and occupational integration and participation in the life of the community.

1.7.3. The European Commission communication 'Towards a barrier free Europe for people with disabilities'⁽⁵⁾ presents commitments to developing and supporting a comprehensive and integrated strategy to tackle social, architectural

and design barriers which restrict access for disabled people to social and economic opportunities. The European Parliament Resolution⁽⁶⁾ on this European Commission communication pressed for a strengthening of its commitments towards disabled people in relation to areas such as freedom of movement legislation, access to the built environment and goods and services. The European Year of People with Disabilities 2003 will provide an important means to launch commitments made by the European Commission in this communication.

2. Summary of the Commission proposal

2.1. The European Commission proposal for the European Year of People with Disabilities 2003 states that the aim of this European Year is to raise awareness and reinforce political commitment towards measures to promote equal opportunities for people with disabilities across Europe.

2.1.1. The Objectives of the European Year of People with Disabilities 2003 are the following:

- to raise awareness of the rights of disabled people to protection from discrimination and equality of opportunities as laid down in the Charter of Fundamental Rights;
- to encourage ideas and initiatives to promote equal opportunities for disabled people in Europe;
- to reinforce the cooperation between all parties concerned, namely government, private sector, community, voluntary sector, people with disabilities and their families;
- to promote exchange of experience and good practice and effective strategies at local, national and European level to promote full and equal integration of disabled people in society;
- to highlight the positive contribution that people with disabilities make to society; and
- to raise awareness about the heterogeneous nature of disability and issues relating to multiple discrimination faced by people with disabilities.

⁽¹⁾ Euro barometer Report 54.2 (April 2001).

⁽²⁾ OJ L 303, 2.12.2000, p. 16.

⁽³⁾ OJ L 303, 2.12.2000, p. 23.

⁽⁴⁾ OJ C 364, 18.12.2000, pp. 1-22.

⁽⁵⁾ COM(2000) 284 final.

⁽⁶⁾ Resolution on Towards a Barrier Free Europe for People with Disabilities A5-0084/2001.

2.2. Member States will be responsible for the coordination and implementation at national level of the activities of the European Year of People with Disabilities 2003 and shall designate a national coordinating body to undertake implementation activities at national level. This national coordination body will ensure that it is representative of a range of organisations representing people with disabilities and other relevant stakeholders.

2.3. The work of the European Commission in managing the European Year of People with Disabilities 2003 shall be assisted by an Advisory Committee composed of representatives from the Member States and Chaired by the Commission. This Advisory Committee will receive regular information from the Commission services on the operation of activities and will evaluate its progress.

2.4. The European Year of People with Disabilities 2003 will be open to the participation of the EFTA/EEA countries and the candidate countries in accordance with the respective EEA Agreement and the Europe Agreements.

2.5. The European Year will be subject to a final evaluation the results of which to be submitted by 31 December 2004; the evaluation being performed by external evaluators whose work will begin from early 2003.

3. General comments

3.1. The Committee welcomes this proposal for a European Year of People with Disabilities 2003 as an important idea which would take place at an appropriate time in the history and development of work for disabled people at European level.

3.2. The European Year events should secure the full involvement of people with disabilities and parents of disabled people unable to represent themselves and ensure that their representative NGOs are involved in the decision making processes of the European Year events.

3.3. The Committee considers essential the need to highlight the diverse and heterogeneous nature of disability and recognise the particular issues around multiple discrimination. Society often ignores the fact that disability is made up of a number of different impairment groups and that issues for persons with sensory impairment are not the same of those persons with a physical impairment or an intellectual impair-

ment. The European Year needs to sensitise the public to this and also to raise awareness about multiple discrimination faced by disabled people from ethnic minorities, for example, or disabled women which is also ignored.

3.4. The Committee recognises that integration of disabled people into mainstream employment is beneficial to the dynamism of the labour market as a whole, reduces the level of demand for social security support and opens up the pool of recruitment, tapping into a much under-utilised skills resource. By increasing employment opportunities it also increases the spending power of disabled people and the breadth of capacity on the part of consumers.

3.5. There must be full participation of the accession countries and their respective representative disability organisations in the European Year activities. Given that they are to accede to the European Union in the near future, their involvement is absolutely necessary to promote integration, capacity building, civil dialogue and political representation of disabled people in these countries.

3.6. The Committee strongly supports the European Commission's emphasis on the building of partnerships which are absolutely necessary if the results from the European Year activities are to have a long term effect. The Committee recognises that there has to be full commitment and partnership of all key actors in society: EU institutions, Member State governments, regional and local government, social partners and NGOs in the implementation of Year activities and would emphasise the particular need to generate involvement of sectors and actors, including public authorities, not traditionally involved in disability issues.

One of the main challenges of the European Year is to reach out to all citizens and the role regional and local networks can play in this is vital.

3.7. The Committee considers the success of the European Year and the means to secure the sustainability of positive developments arising from the European Year will only be possible with the full involvement of the social partners in the process. The social partners have an important role to play in shaping attitudes and facilitating integration of vulnerable groups, therefore the commitment of the social partners in activities to promote integration and positive attitudes of disabled people is absolutely necessary.

3.8. The Committee welcomes the support of the EU for the organisation of a Ministerial Conference organised with the Council of Europe as part of the European Year activities. This is an important way to engage countries beyond the EU in commitments towards the full integration of disabled people into society.

3.9. The Committee is aware of the work undertaken by the UN Human Rights Commission to further the protection of human rights of disabled people. The Committee supports a debate and consideration by the EU of a UN Convention on the rights of disabled people; such a UN Convention could have an important political and practical impact to the benefit of disabled people across the globe, in particular in developing and least developed countries.

3.10. The Committee supports the need for preparatory actions in 2002 in the lead up to the European Year and also supports the proposal from the European Commission for an evaluation of the results and success of the European Year to be completed by 2004.

3.11. The Committee considers that the European Year will provide an excellent opportunity to develop new, concrete initiatives to promote non-discrimination and equalisation of opportunities for persons with disabilities in accordance with Article 13 of the Treaty of the European Union. The European Year should signify an important step forward in the development of policy, both in terms of disability-specific initiatives and in terms of an increased mainstreaming of disability in all general policies. Concrete benefits and outcomes for disabled people must be achieved from the European Year at both EU and national level, so that the European Year becomes the start of a dynamic process which will continue long after the European Year itself is over. In this context, the Committee welcomes the proposals in the draft Decision for studies on free movement and prospects for disability policy and hopes it will generate important new policy initiatives in this field.

3.12. The Committee wishes to ensure that the European Year activities will promote the concerns of disabled people and parents of disabled people unable to represent themselves across the mainstreaming of the policy spectrum. The Committee notes that whereas mainstreaming of disability policy has been progressing well in some areas, such as in relation to EU work on the information society and transport, little or no recognition of the interests of disabled people has been given in the EU work in the field of human rights and development cooperation policy.

3.13. Access for disabled people to the information society is an important example of how mainstreaming is essential to the securing of social and economic integration of disabled people. In this new knowledge and information led society where social and economic integration depend increasingly upon use of new information and communication technologies, disabled people must be fully involved in the development of this new information age and must not be left behind.

3.14. Access to quality education has a fundamental role to play in the successful integration of disabled people in society. Successful integration depends upon the breaking down of cultural and attitudinal barriers as well as promoting access to the information society, access to the built environment and transport. The Committee requests that all EU initiatives in the field of education introduce measures to establish disabled people as one of the key beneficiaries in such initiatives.

3.15. Given the low level of employment of persons with disabilities, the European Year must work to promote positive examples of how disabled people contribute to the labour market, to the European economy and to society as a whole. The general framework Directive for equal treatment in employment and occupation⁽¹⁾ signifies an important step forward in combating discrimination towards disabled people in the labour market. The Committee requests that the terms of the Directive are fully implemented by the Member States by 2003. The general framework Directive is complemented by incentive measures to combat discrimination towards disabled people promoted through the European Employment Strategy. The Luxembourg Employment Summit recognised the importance of such measures, highlighting the need to give attention to combat discrimination and promote social inclusion to employment; Guideline 7 of the Employment Guidelines explicitly mentions disabled people.

3.16. The Committee recognises that the corporate social responsibilities of employers is promoted by seriously addressing barriers to the employment of disabled people and their access to goods and services. The value to society and to business of such an approach is recognised in the recent European Commission Green Paper on Corporate Social Responsibility⁽²⁾. Models need to be developed and improved

⁽¹⁾ OJ L 303, 2.12.2000, p. 16.

⁽²⁾ COM(2001) 366 final.

in close co-operation with employers and national Governments to make employing disabled people more attractive for employers.

3.17. The European Year also provides the incentive for the Member States of the European Union to ensure that their National Action Plans for the social inclusion strategy in 2003 give greater attention to the situation faced by disabled people.

4. Specific comments

4.1. Among the concrete initiatives possible in the European Year, the Committee calls on the European Commission to submit a proposal for a Directive on equal treatment and non-discrimination on grounds of disability consistent with the recent Directive on race and ethnic origin ⁽¹⁾.

4.2. The Committee understands that the primary goal for the European Year is to secure recognition of disabled people across all sectors and policy areas and that the European Year can provide a means to launch a process of data compilation and continuous monitoring of mechanisms to integrate the interests of disabled people across all policy and programme areas. As part of such a process, the European Year could initiate an open method of coordination of policies and exchange of best practice across the EU member states; a process which could receive the financial support of the EU by means of a specific action programme on disability to follow-up the work of the European Year as proposed by the European Parliament Resolution on 'Towards a Barrier Free Europe for people with Disabilities' ⁽²⁾.

4.3. The Committee's role as a body representing the various economic and social components of organised civil

society ⁽³⁾ places it with an important responsibility in securing the success of the European Year. It would be very important that the national bodies that play a similar role as the Economic and Social Committee, where these exist, are involved in the national Committees.

4.4. The Committee welcomes proposals for involvement of the social partners in a broad-based national fora on the European Year to heighten awareness and mobilise activities for the Year; also to provide assistance in the national review of the situation facing disabled people and to build relations with representative disability organisations in order to develop long term strategies to promote equalisation of persons with disabilities.

4.5. The Committee requests that it may participate directly in the work of the consultative committee for the European Year of People with Disabilities 2003.

4.6. The Committee considers that, as part of its own commitment to the European Year, it should undertake an independent audit of its buildings, access to information and activities and recruitment practices to establish how accessible they are to disabled people with a view to gradually making the necessary adaptations where required, with a particular focus on eliminating the architectonic barriers of the new building to which the Economic and Social Committee will move. In addition, the Committee requests that such a commitment also be taken up by the other EU institutions as a way of setting a good example vis-à-vis Member States.

4.7. It is proposed that the Committee draw up an own-initiative opinion on people with disabilities to be produced in 2002 which would evaluate the developments of integration of disabled people in society and how they may be promoted. It will represent an important contribution from the Committee for the European Year. The results from this report should be widely publicised by an event hosted by the Committee.

⁽¹⁾ OJ L 180, 19.7.2000, p. 13.

⁽²⁾ A5-0084/2001.

⁽³⁾ Article 257, Treaty of Nice.

Brussels, 17 October 2001.

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of the Economic and Social Committee*
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