From a more pragmatic perspective, the Commission funds numerous projects in India under the European Initiative for Human Rights and Democracy, with several of them targeting Dalit and other disenfranchised communities.

Furthermore, the Commission contributes to India’s education system with a major grant of EUR 200 million. The Commission firmly believes that by assisting India to reach its Millennium Development Goal of achieving universal elementary education, with a special focus on the ‘hard to reach’ such as children from Dalit and tribal backgrounds, Dalits will ultimately have better chances to fulfil positions in Indian society at all levels.

(2004/C 88 E/0599)

WRITTEN QUESTION E-0079/03
by Margot Keßler (PSE) to the Commission
(23 January 2003)

Subject: The situation of people with mental disabilities in applicant countries

According to the European Association of Societies of Persons with Intellectual Disability and their Families, known as Inclusion Europe for short, the situation of people with mental disabilities in many of the future EU Member States is a cause for concern. Whereas the situation of children with mental disabilities has in some areas improved since 1989, this is unfortunately not the case for adults. Amnesty International’s report of October 2002, ‘Bulgaria: Far from the eyes of society. Systematic discrimination against people with mental disabilities’, outlines the situation in Bulgaria as an example. The lives of people with mental disabilities remain in many cases characterised by isolation, denial of any privacy, and inadequate care.

The Commission:
1. How does it intend to react to the violations of human rights that continue to be suffered by people with mental disabilities in applicant countries?
2. Does it see a particular need to act to improve the situation of people with mental disabilities in the future Member States?
3. If so, what form does it think such an improvement would take?
4. How does it intend to raise awareness of the problem, not just among the public, but also among the governments of the future Member States?

Answer given by Mr Verheugen on behalf of the Commission

(28 February 2003)

The rights of the people with intellectual disabilities are human rights which the Commission takes very seriously. Therefore the Commission monitored the situation with regard to people with disabilities in the Candidate Countries through the annual Regular Reports on the progress of each Candidate Country towards accession.

More specifically the situation with regard to people with disabilities was assessed in the 2002 Regular Reports adopted by the Commission on 9 October 2002 (1) for Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Romania, Slovakia, Slovenia and Turkey. In most of the cases, the need for further substantial progress has been underlined.

In its recently adopted Communication on ‘Towards a United Nations legally-binding instrument to promote and protect the rights and dignity of persons with disabilities’ (2), the Commission sets out its full support for the elaboration of such instrument and states that ‘even if there is no doubt that general human rights standards apply to people with disabilities, there is widespread evidence that they face lack of equal effective enjoyment of their rights’. It notes that while this situation has been highlighted in the international context, it is also mirrored in European countries.
Furthermore, non-discrimination and improvement of the situation of people with disabilities is also consonant with the principles recognised by the Charter of Fundamental Rights of the European Union (Articles 21 and 26 of the Charter of Fundamental Rights of the European Union).

The Commission will launch a study of the situation in institutions in both present and future Member States. Final results are expected in mid 2005.

On the basis of Article 13 of the EC Treaty, the Council adopted Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (1), which prohibits discrimination, be it direct or indirect, against a person with a disability. In addition, this Directive obliges employers to take appropriate measures to enable people with disabilities to participate in employment, unless this would constitute a disproportionate burden on the employer. This Directive forms part of the 'acquis communautaire', which will have to be transposed by the Candidate Countries by the date of accession.

The Commission considers that the European Year 2003 for People with Disabilities should help to raise awareness and Candidate Countries are encouraged to prepare adequate national actions. Indeed, several Candidate Countries are planning national events within that context.

The necessary steps have also been made to allow the participation of the Candidate Countries in the Community programme against discrimination, which provides for the promotion of measures to combat discrimination based inter alia on disability. There is also a specific assistance programme in this field funded under PHARE.

The improvement of the situation of people with intellectual disability would require the development of co-ordinated and integrated policies and strategies. It would entail in particular the improvement of the social welfare infrastructure, the mainstreaming of a disability perspective into all relevant sectors of policy formulation, the enacting of comprehensive anti-discrimination legislation and an awareness-raising of the public.

The Commission will continue to support preparations for accession in the area of non-discrimination. Moreover, in view of the proper implementation of the relevant Commission Directives on non-discrimination, the Commission has launched a study to examine the situation in the Candidate Countries concerning the legal provisions at national level further regarding discrimination on grounds of, inter alia, disability. The final results are expected in June 2003.


(2004/C 88 E/0600)

WRITTEN QUESTION E-0113/03
by Mogens Camre (UEN) to the Commission
(28 January 2003)

Subject: Migrant workers from the new Member States

In connection with the forthcoming accession of ten new Member States to the EU, a number of European research institutes have tried to assess how many migrant workers the current EU countries can expect from the new Member States. The Commission has drawn up a summary of the most comprehensive studies in its information note of 6 March 2001 entitled 'The Free Movement of Workers in the Context of Enlargement'. It concludes that the majority of migrant workers will be concentrated in mainly Germany and Austria.

These studies, however, are very incomplete, since they overlook the fact that a seven-year transitional arrangement will be in place for Germany and Austria. The earlier studies also fail to take account of the fact that the EC/EU has never before been enlarged to include so many less-prosperous countries. They generally point out that in the course of the 1980s the Community accepted Spain, Portugal and Greece as new members, and that these countries were not quite as well off as the other Member States. However, they ignore the fact that the then EC countries in practice introduced transitional regulations for the free movement of workers from the new Member States.