



EC Consultation in Preparation for a New EU Disability Strategy 2010-2020

EFC Response – 4 January 2010

1. The European Consortium of Foundations on Human Rights and Disability

The European Foundation Centre (EFC) and more specifically, the Consortium of Foundations on Human Rights and Disability, welcome the debate opened through the public consultation on the new EU Disability Strategy for the next decade. Many EFC members have long-standing experience in disability-related issues and within the EFC constituency, an ad-hoc Consortium was created to bring together funders and other stakeholders interested in the implementation of the UN Convention on the rights of persons with disabilities (UNCRPD). This major project is led by the European Foundation Centre with the participation of ONCE Foundation (Spain), the Atlantic Philanthropies (Ireland/US), Sabanci Foundation (Turkey), Banca del Monte di Lucca Foundation (Italy), Calouste Gulbenkian Foundation (Portugal) and Fondation de France (France).

The Consortium seeks to encourage and support the ratification and the effective application of the UN Convention, working with other stakeholders in order to ensure the maximum impact of actions promoting the rights of persons with disabilities. The group also seeks to convene foundations, corporate funders and their partners active in the disability field with a view to facilitating networking and information exchange, stimulating critical reflection, fostering cooperation, increasing awareness and mobilising funders. We wish to make a distinctive contribution and mobilise the foundation sector to play a catalytic role and ensure that European governments and other relevant stakeholders commit to and support both the ratification and implementation of the Convention.

Additionally, through its Disability Interest Group, the EFC coordinates programmes aimed at mainstreaming disability in the activities of foundations throughout Europe.

2. The Contribution of Foundations to a New EU Disability Strategy 2010-2020

We believe that the input from Foundations to the debate is most important. Our added value relies on the fact that Foundations are unique in developing holistic solutions to problems. Foundations are independent, non-profit bodies with no members or shareholders. They have established and reliable sources of income, which enable them to plan and carry out a strategy and work plans over a longer term than many other institutions.

Additionally, foundations are not only grant making bodies that foresee needs and conceptualise ideas for policy advocacy. They have long-standing expertise in the disability field through implementing concrete projects on a wide range of issues, applying professional project management and result monitoring experience.

The foundation sector is gradually achieving a significant economic footprint. There are 110,000 public-benefit foundations (almost 4 foundations per 10,000 people) located in the European Union. Some 43% of these foundations were set up as recent as the early 1990s. Foundations spend between €83 billion and €150 billion annually. Foundations are also big employers, providing direct full-time employment to between 750,000 to 1 million people in the EU.

3. General Comments from the European Foundation Centre

EFC acknowledges the importance of the European Commission consultation and the need to put forward a common EU strategy aimed at raising awareness and understanding of the need to coordinate all policies amongst the member states and EU Institutions to promote the rights of persons with disabilities. According to recent statistics (Ministerial Declaration, Riga, 2006), people with disabilities represent indeed more than 15% of the EU population, and this percentage is rising with an ageing population. More than 80 million people are living with some kind of disability in the EU.

EFC believes that the need to mainstreaming disability has already been understood and partially implemented through the 2003-2010 Disability Action Plan that we have fully supported. Since this plan was launched, EU policies have followed a positive path of more coordinated actions targeting persons with disabilities in various fields like employment, social protection, education, competitiveness, research and e-inclusion policies with the Lisbon Strategy and the ratification of the UN Convention on the Rights of Persons with Disabilities (UN CRPD).

However, in spite of the efforts made, the policies implemented so far have been of a sector nature, are fragmented and have suffered from a lack of a unified, structured Community strategy bringing in all the Institutions and Member States. This was already confirmed in the Mid-term Evaluation of the European Action Plan 2003-2010 published in June 2009.

4. Specific EFC Comments in Relation to the New EU Disability Strategy

As part of designing the new EU disability strategy, we would include amongst key priorities the adoption of a European Disability Pact, the development and implementation of the United Nations Convention on the Rights of Persons with Disabilities, the revision of the Structural Funds post-2013 and mainstreaming disability in all Community policies, programmes and funding instruments.

- Alongside the EDF, EFC proposes the adoption of a **European Disability Pact** to usher in a Community disability policy and move beyond the fragmented view of the issue within the EU institutions and between them and the Member States. The Pact should constitute a political agreement on the basis of the Lisbon Treaty, anchored in the principles of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). The Pact would significantly raise the profile of disability as an issue, seeking a commitment on the part of all institutional and social actors to information, training and dissemination and exchange of best practice in this area.
- **European statistics on disability** are important to paint a more accurate picture of the situation in which people with disabilities live. Comprehensively collected, statistical information will help better target the issues affecting the lives of people with disabilities on a daily basis, such as discrimination. This is crucial for developing comprehensive policies and monitoring their implementation. The statistical data can also be used to measure how the situation improves over time.
- The new EU Disability Strategy should adopt a comprehensive approach. Hence, the European Commission should consider the development of a **comprehensive European disability directive** that will protect disabled people from discrimination at all levels. Current European legislation against disability discrimination only exists in the employment field. However, disabled people face barriers and prejudice in many areas: education, transport, employment, insurances access to the information, access to building and infrastructures.
- A commitment to **accessibility** is a commitment to the fundamental rights of European citizenship. Building on the Communication from the Commission on **e-accessibility**, there is a pressing need for e-accessibility legislation to be presented by the Commission which must cover fields such as the accessibility of websites, digital technology and ATMs, for example.
The new EU Strategy should encourage EU Member States to continue efforts already made to ensure accessibility for public buildings, buildings of public interest, private companies, access to goods and services, tourism, transport, technology and communication.
- With regard to **mainstreaming disability**, a lot has still to be done. At a policy level we would like to make a plea for ensuring coordinated actions between the National and European policies, and the inclusion of the disability dimension as a horizontal principle in ALL programmes and funding instruments post 2013 including Structural Funds, in a consistent and systematic manner.
- We also believe that the **participation of organisations of people with disabilities** at National and EU level should be reinforced. Their representative bodies should be fully involved at all decision-making levels when reflecting on

specific policies through public consultation, reinforcement of civil society dialogue as well as other existing participative tools, in order to achieve the goals of equal access to education, employment, social protection, independent living as well as access to goods, services and transportation as full citizens. This would be in line with the important policy principle: "Nothing about disabled people, without disabled people".

5. Concrete Input from EFC – Study on the Challenges and Good Practices in the Implementation of the UN Convention on the Rights of Persons with Disabilities.

A Study on the challenges and good practices in the implementation of the UN Convention on the Rights of Persons with Disabilities was commissioned to the Consortium by the European Commission. Consequently the Study was launched in January 2009, it is executed for the European Community, represented by the European Commission's Directorate General Employment, Social Affairs and Equal Opportunities, and its final results should be published later this year.

The objective of the study is to analyse in detail the obligations set out by the UN Convention and in particular to gather information about the various practices in the implementation of the Convention, from a legal and practical point of view, identifying challenges and measures to facilitate the achievement of the UN Convention objectives.

Its philosophy and aims focus on research that supports the objectives of the EU Disability Action Plan towards the goal of full participation and equal opportunities to all people with disabilities and the possible follow up in a new disability strategy.

The Study is managed by the European Foundation Centre (EFC). EFC has assembled a top-class team of academics and researchers to carry out research, combining exhaustive knowledge of international, community and national law, with practical research experience and sound judgment on where European law needs to be reformed. Organisations of persons with disabilities are also included in the team, comprising the civil society panel, which ensures that research is focused on issues that matter and that it is well grounded.

This venture is inherently worthwhile since it will lead to a product that will help shape the debate at European level about the strategic direction and dynamics of European disability law reform.

For these reasons, we would urge the European Commission to take in consideration the final outputs and recommendations from this study. For more information please visit the study website: www.study-uncrpd.eu



About the European Foundation Centre

The European Foundation Centre (EFC) is an independent association dedicated to creating an enabling environment for foundations, strengthening the infrastructure of the sector, and promoting collaboration, both among foundations and between foundations and other actors, to advance the public good in Europe and beyond.

Who we are: Established in 1989, the EFC today serves a core membership of more than 230 members in some 40 countries. The EFC also hosts the secretariat of The Donors and Foundations' Networks in Europe (*DAFNE*) set up in 2006.

What we do:

The Centre fulfils its mission through:

- Representing its members' interests at the level of third parties such as European and international institutions
- Improving the visibility and understanding of the role of foundations, and advocating good practice, openness and transparency
- Playing a consultancy role with respect to legal and fiscal issues and expansion of professional development opportunities for foundations' staff
- Convening foundations to facilitate exchanges of information and expertise and fostering cooperation with national-level associations of foundations, donors' fora and other organisations serving the sector

The Centre is an independent international not-for-profit association under Belgian law. Ultimate authority vests in the EFC Annual General Assembly of Members, with governance entrusted to an elected Governing Council, supported by a Management Committee. Membership of the Centre implies commitment to the EFC brand. Members agree to adhere to the [EFC Principles of Good Practice](#).

Details of EFC membership and activities are available at www.efc.be

Submitting organisation: European Foundation Centre AISBL

Registration number: 0456.810.414

European Foundation Centre ID number with the European Commission register of interest representatives is: 78855711571-12