



PEOPLE WITH DISABILITIES (Overview)

One of the goals of the European countries as well as the European institutions is open and accessible society and social inclusion of the most vulnerable groups including disabled people. There is no general definition of 'disability'. The definitions vary from country to country and some of the countries use different definitions of 'disability' with regard to the different acts in their legal order. We can sum up that the main characteristics of disability are: the permanent or long-term physical, mental or sensory impairment of the person's functional capacity, which differentiates a person from other persons of their age and is a consequence of an injury or illness that existed at birth, arose thereafter or can be expected to arise.

The challenging tasks ahead of us are better integration of disabled people in the society and de-institutionalization.

The main problems are: rising number of people with mental problems, rising number of people claiming the disability payments, early retirement due to disability, lacking conditions in the workplace and also outside of work, lower wage for disabled people, difficult reintegration, low number of people returning to work and high unemployment among disabled people.

One of the often discussed topics, especially in Central and Eastern Europe, is the de-institutionalisation. The key arguments are social inclusion including the possibility to live with the family or independently, and cutting the costs because the institutional care is the most expensive option. Other services like social counselling, special healthcare or transport services have to be prepared in order to provide the necessary support and help, if needed.

[The European Foundation for the Improvement of Living and Working Conditions](#) ('Eurofound') is currently working on the project: [Employment and guidance services for people with disability and ill-health. The report](#) was published in mid-2006 along with a database of innovative initiatives. Eurofound has already published two comprehensive reports: [Illness, disability and social inclusion](#) and [Employment and disability: Back to work strategies](#).

The statistical data with regard to disabled people varies according different sources. The estimated number of disabled people is estimated to be from 10% to 15% in Europe. Most of the surveys are focused on working age population. According the [European Labour Force Survey from 2002](#), 16% of the working age population in the European Union claim long-standing health problems or disability. This number is a warning because of aging population as well as the low birth rates in almost all European countries.

The main responsibility is on the countries, they have the best opportunities to tackle the issues dealing with the situation of disabled people. However, the European Union, Council of Europe and United Nations have also tried to improve the situation and help their member states.

The European Union

The European Union has a [disability strategy](#) with three main focuses: cooperation between the Commission and the Member States, full participation of people with disabilities and mainstreaming disability in policy formulation.

1. The principle of subsidiarity applies, however, the Commission can raise the awareness of disability issues, for example, by creating the **European Day of Disabled People** which takes place every year on December 3. The Commission promotes good practise among the member states, it can improve collection of statistical data and strengthen cooperation with member states. [The High Level Group of Member States' Representatives on Disability](#) was established in 1996. It monitors the situation and policies of the member states with regard to disability issues. The improvements of disability policies of the member states are also presented in the National Action Plans on Employment and National Action Plans against Poverty and Social Exclusion.
2. Full participation of people with disabilities is necessary for a healthy society. Disabled people have to be involved in planning and preparing of the new policies and laws and take part in evaluation too.

[The European Disability Forum](#) ('EDF') is an umbrella organisation representing disabled people in Europe fighting for their rights and involvement in policy development. EDF is in dialogue with the European Commission.

EDF works very closely with the [Disability Intergroup](#), which is "an informal grouping of MEPs from all nationalities and all the major political groups working within the European Parliament on disability policy." It is not a formal committee of the Parliament.

The regular Parliamentary committee dealing, inter alia, with employment policy, all aspects of social policy and all forms of discrimination at the workplace and in the labour market except those based on sex is the [Employment and Social Affairs Committee](#).

[EQUAL](#) initiative, which is one of the four initiatives for the programming period 2000 – 2006, covers also the projects dealing with employability, improvement and better coordination of the **services** for people with disabilities and boosting the **empowerment** of disabled people. One of the EQUAL **success stories** is **Vrijbaan** – the Dutch nationwide development partnership aiming to increase the empowerment, to measure the degree of empowerment and to propose the best training methods in order to help disabled people with the integration in the labour market.

3. Mainstreaming disability in the policy formulation means to ground all the disability aspects in all policies, e.g. public transport, public environment, education or employment. Disability issues have to be implemented horizontally in all respective policies.

The European Union adopted in 2003 the Commission Communication [Equal opportunities for people with disabilities: a European action plan](#), which consists of two phases: 2004 – 2005 and **2006 – 2007**. The current phase is focused on active inclusion of disabled people by encouraging activity, promoting access to quality support and care services, fostering accessibility of goods and services and increasing the EU's analytical capacity. The evaluation of the Plan is expected in 2008.

The European Commission issued a working paper on July 1, 2005 entitled "[Disability mainstreaming in the European Employment Strategy](#)" which focuses on the new Employment Guidelines 2005 – 2008 and their potential for disability mainstreaming. After each employment guideline there follows an elaborated text tailored to the needs of disabled people and the proposed opportunities for the future which member states can make use of. The texts are enriched with the good practise examples from various countries. The most important law with regard to employment and disability is the [Council Directive 2000/78/EC](#) establishing a general framework for equal treatment in employment and occupation, which prohibits direct and indirect discrimination as well as instructions to discriminate on a number of grounds including disability. Thereto, the European Union has adopted other laws, which create a legal framework of EU anti-discrimination legislation.

Nevertheless, the European Union wants to strengthen its efforts in this field and it adopted [Decision No 771/2006/EC establishing the European Year of Equal Opportunities for All \(2007\) – towards a just society](#). The **website** of the future European Year is already launched. The main aims are: making European Union citizens aware of their right to non-discrimination and equal treatment, promoting equal opportunities for all, including access to employment, education, in the workplace or in the healthcare sector, and promoting the benefits of diversity for the European Union.

Council of Europe

The Committee of Ministers adopted a recommendation to member states on the [Council of Europe Action Plan](#) in April 2006 to promote the rights and full participation of people with disabilities in society: improving the quality of life of people with disabilities in Europe 2006 - 2015 ('Plan'). The Plan will be launched in September 2006 at the European Conference in St. Petersburg.

The Plan comprises executive summaries including fundamental principles and strategic goals and 15 action lines covering areas such as participation in political, public and cultural life, information and communication, education, employment, vocational guidance and training, the built environment, transport, community living, health care, rehabilitation, social and legal protection, protection against violence and abuse, research and development and awareness raising. The fundamental principles are based on the anti-discrimination law and human rights as well as on European and international treaties and plans. The guiding principle is social inclusion of disabled people and the minimalization of side effects resulting from the disabilities. The broad common support and awareness of the importance of the public built environment, health care, rehabilitation and social services are essential factors for a positive future outcome. The main goals of the Plan are to mainstream disability in all respective policies while adapting the Plan to each country's conditions and to provide recommendations to take action with a special focus on cross-cutting aspects, which create one part of the Plan. Some people are in risk of two-fold discrimination, e.g. disabled women, children or elderly people, and they need a special attention. The Plan should be used by not only the member states but also by NGOs, private companies and other international organisations. Finally, an effort to engage and use the experience of the disability associations and raising awareness of the problems among the people is a significant task.

The United Nations

In 1993 The United Nations adopted [The Standard Rules on the Equalization of Opportunities for Persons with Disabilities](#) ('Rules') after the United Nations Decade of Disabled Persons (1983 – 1992). It is not a legally binding document but the rules may become the international customary law when used and respected by the states for a longer period of time. The Rules show the strong moral and political commitment of the states to anchor the principles of cooperation, responsibility and action in order to remove the obstacles and establish an environment corresponding to the needs of disabled people. The people with disabilities have to have the same conditions and chances as non-disabled people. The 22 Rules are separated into four chapters: preconditions for equal participation, target areas for equal participation, implementing measures and monitoring mechanisms.

The second important document concerning disabled people is in the process of adoption. The Ad Hoc Committee on a [Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities](#) ('Convention') was established according the General Assembly **Resolution 56/168** of December 19, 2001. The main goal of the Convention is "to promote and protect the rights and

dignity of persons with disabilities”. The Eighth Session, held from 14 to 25 August 2006, should finalize the negotiations on the **draft text**. The Convention comprises the principles of non-discrimination, full inclusion, dignity and individual autonomy, respect of difference and equality of opportunity. There was much discussion on the term ‘disability’. Some of the members of the working group have proposed very broad definition while some were against defining the term so as not to narrow the scope of disability. Some proposed to use the World Health Organisation’s definition, but their opponents objected by arguing for the social model of disability instead of the medical model.

In conclusion, disability issues deserve more interest from the member states. New solutions and improvements of the current situation of disabled people are necessary steps in order to improve their quality of life as well as to contribute to the growth of society.

