



## **ENIL Proposal for a Resolution of the European Parliament on the effect of cuts in public spending on persons with disabilities in the European Union**

The European Parliament,

- having regard to Article 13 of the EC Treaty,
  - having regard to Articles 21 and 26 of the Charter of Fundamental Rights of the European Union,
  - having regard to the Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation,
  - having regard to the Resolution of the Council of the European Union on the situation of persons with disabilities in the European Union (2008/C 75/01),
  - having regard to its Resolution of 20 May 2008 on progress made in equal opportunities and non-discrimination in the EU (the transposition of Directives 2000/43/EC and 2000/78/EC),
  - having regard to the European Disability Strategy 2010 – 2020: A Renewed Commitment to Barrier-Free Europe (COM (2010) 636 final),
  - having regard to the decision of the European Parliament and of the Council of 22 October 2008 on the European Year for Combating Poverty and Social Exclusion (2010),
  - having regard to the United Nations Convention on the Rights of Persons with Disabilities, concluded by the European Union on 23 December 2010,
  - having regard to Rule 4 of the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly Resolution 48/96 of 20 December 1993),
- A. whereas more than 1.2 million persons with disabilities in the European Union live in long-stay residential institutions<sup>1</sup> due to the severe lack or absence of community-based services in many Member States,
- B. whereas the right to a range of in-home, residential and other community support services, including personal assistance, is enshrined in Article 19 of the UN Convention on the Rights of Persons with Disabilities,

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<sup>1</sup> Mansell J, Knapp M, Beadle-Brown J and Beecham, J (2007) *Deinstitutionalisation and community living – outcomes and costs: report of a European Study*. Volume 2: Main Report. Canterbury: Tizard Centre, University of Kent.

- C. whereas the European Union and the majority of its Member States have ratified the UN Convention on the Rights of Persons with Disabilities,
  - D. whereas having access to personal assistance and other support services is crucial if persons with disabilities are to take up employment on an equal basis with other European citizens,
  - E. whereas the right to personal assistance and other community support services, is being taken away from persons with disabilities or downgraded in many Member States as part of austerity measures,
1. Is deeply concerned that persons with disabilities across the European Union are being disproportionately affected by cuts in public spending, as a result of which they are losing support services such as personal assistance and direct payments<sup>2</sup>, which allow them to live independently in the community;
  2. Is concerned that taking away these support services from persons with disabilities will lead to an increase in the number of people living in long-term institutional care and further social exclusion of persons with disabilities in the European Union, which is in direct violation of the European Union's commitments under the UN Convention on the Rights of Persons with Disabilities and the European Disability Strategy 2010 - 2020;
  3. Stresses the rights of people with disabilities as enshrined in international conventions, in particular in the UN Convention on the Rights of Persons with Disabilities;
  4. Underlines the European Union's commitment to social inclusion of persons with disabilities, and to preventing discrimination in access to employment and occupation;
  5. Calls on the Member States to abandon all announced cuts in the funding of community-based services for persons with disabilities;
  6. Calls on the Member States to reintroduce community-based services for persons with disabilities, such as personal assistance and direct payments, which have been abolished or downgraded as a result of cuts in public spending;
  7. Urges the Member States to develop and implement national strategies to transfer the provision of care from institutions to the community;
  8. Urges the Member States to develop a national policy on personal assistance for people with disabilities and to allocate funding for its implementation;
  9. Calls on the Member States to provide the necessary legal remedies for people with disabilities to enforce their rights;

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<sup>2</sup> Hauben, H. et al. (2012) *Assessing the impact of European governments' austerity plans on the rights of people with disabilities – European report*. European Foundation Centre. Available at: [http://www.enil.eu/wp-content/uploads/2012/12/Austerity-European-Report\\_FINAL.pdf](http://www.enil.eu/wp-content/uploads/2012/12/Austerity-European-Report_FINAL.pdf)



10. Supports those Member States which have started the process of implementation of the UN Convention on the Rights of Persons with Disabilities, and calls on the remaining Member States to do so;
11. Calls on the Council to accelerate negotiations about the Proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion, belief, disability, age or sexual orientation, aiming to extend the protection against discrimination to areas outside employment;
12. Calls on the Commission to support the full participation of persons with disabilities in society, as set out in the European Disability Strategy 2010 – 2020;
13. Urges the Commission to adopt guidelines on the use of Structural Funds and other EU funding instruments to support the development of community-based services in the Member States;
14. Calls on the Commission to step up implementation of the UN Convention on the Rights of Persons with Disabilities without further delay;
15. Instructs its President to forward this resolution to the Council and the Commission.



**This proposal is supported by the following European and national organisations:**

- AGE Platform Europe
- Autism Europe
- European Anti-Poverty Network (EAPN)



- European Association of Service Providers for Persons with Disabilities (EASPD)
- European Disability Forum (EDF)
- Inclusion Europe
- European Network of Users and Survivors of Psychiatry
- Mental Health Europe (MHE)
- European Foundation Centre (EFC)
- Disabled People Against the Cuts (DPAC), UK
- Onafhankelijk Leven, Belgium
- YHD – Association for Theory and Culture of Handicap, Slovenia
- JAG, Sweden
- Inclusion Netherlands
- Stichting Perspektief, Netherlands

*For further information and to support the Proposal, please contact the European Network on Independent Living - Ines Bulic, ENIL Policy Officer and Regional Teams Manager/Coordinator of the European Coalition for Community Living, [ines.bulic@enil.eu](mailto:ines.bulic@enil.eu)*