



ENIL On Top of the EU CRPD Review

The UN Convention of the right of persons with Disabilities (UNCRPD) was adopted on 13 December 2006 and entered into force on 3 May 2008. The European Union signed the convention in 2007 and finished its ratification process on 23 December 2010. Today more than 100 countries ratified the convention.

A European-wide swift and thorough implementation of the CRPD, with a special focus on Article 19 on living independently in the community, is one of ENIL's priorities. In this article ENIL summarizes the work regarding the CRPD that has taken place over last year.

Last week

Some of the steps that ENIL has taken in the past year to influence the Concluding Observations are summarized here.

In September 2014 ENIL cooperated with its Belgian members Onafhankelijk Leven vzw and GRIP to address the CRPD Committee and other stakeholders in an event on increasing misunderstanding and misuse of Independent Living terminology. It needs to be understood and applied in a correct way, which is currently not the case. Progress towards Independent Living would be jeopardized, if this does not change. ENIL keeps on emphasizing the importance of respecting Independent Living terminology to prevent watered down policies, in between solutions or abuse of EU funding among other problems.

In October 2014 ENIL published and disseminated a Shadow Report on Article 19: Realising the Right to Independent Living: Is the European Union Competent to Meet the Challenges?. This report was submitted to the CRPD Committee to contribute to the EU CRPD review process.

In April 2015 ENIL was represented in Geneva for the 14th CRPD pre-sessions for the EU review. During this meeting ENIL presented concerns on the implementation of the CRPD during informal meetings with several committee members. ENIL cooperated with the European Disability Forum (EDF) and other international NGOs in the holding of a side event to inform the Committee and others on important points regarding European disability policy. ENIL with its expertise on Article 19, grassroots perspective and cross-disability approach was an important actor in the cooperation.

In July 2015 ENIL has responded to the List of Issues, adopted by the Committee in relation to the first report of the European Union. This contribution provided the Committee with useful information when preparing the recommendations for the Concluding Observations in the EU report.

In its opening statements of the 14th session of the CRPD Committee (17 Augustus- 4 September 2015), ENIL expressed grave concern about the misuse of concepts such as 'independent living', 'de-institutionalization', 'personal assistance', 'community-based services' and 'inclusion', which resulted in policies not in line with the standards and principles of the UN CRPD. The Committee was urged to provide guidance and clarifications on the correct implementation of Article 19 of the Convention to ensure that living independently and being part of the community become a reality for all persons with any type of impairment, wherever they live. Personal assistance is a necessary

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support service and the ultimate tool in the enablement of disabled people to live a life as fully included and participating citizens in their communities.

On 27th and 28th August the constructive dialogue between the CRPD Committee and the EU delegates took place. ENIL, together with the European Disability Forum and other international NGOs had a one-hour session with the CRPD Committee before the dialogue began to provide additional information and clarifications to questions asked. The Committee expressed gratitude and used the arguments and facts brought forward in their questions for the EU delegation.

The constructive dialogue itself clearly identified the main points and problematic areas in the European disability policy. To get a complete picture of the content of the several rounds of questions and answers, you can read the report on the UN Human Rights website.

Most Committee members asked questions on how the EU could guarantee that EU structural funds would not be used in any way to consolidate institutionalization but for the realization of independent living. Deinstitutionalization and the right on Independent Living were prominent and recurrent topics throughout the dialogue. The disproportionate impact of austerity measures on disabled people in many Member States and the bigger role the EU could and should take up to counter this was also addressed. Frequently the EU was questioned on how they provide, or fail to provide, clear and strong guidance and leadership to the Member States for the shifting of policies towards UN CRPD standards.

It is important for ENIL members to follow the implementation of the UN CRPD. We need to be 'watchdogs' in our own Member States and to continue to influence the EU. The UN CRPD is the only convention ratified by the EU and is to ensure that our life situations are improved in all countries within the EU. During the Brussels Freedom Drive the UN CRPD and its implementation will be high on the agenda. The concluding observations on the EU from the CRPD Committee will be extremely relevant for the Freedom Drivers to discuss during their meetings with MEPs. After the Freedom Drive ENIL will provide a tool/recommendation list that can be used to lobby and reclaim Independent Living rights.