

Freedom Drive Demands 2019

This year, disabled people and allies from all over Europe meet in Brussels for the 9th Freedom Drive and to mark 30 years since the establishment of the European Network on Independent Living (ENIL). On this occasion, we have set out our three key demands, which we wish to bring to the attention of the newly elected Members of the European Parliament.

1. Mainstream disability in all policy areas and ensure that the future European Disability Strategy is fully aligned with the UN Convention on the Rights of Persons with Disabilities and its general comments.

Social inclusion is not only about access to social services; it concerns all areas of life. From access to health care, education and employment, to public transport, housing, culture, sports and leisure.

Furthermore, social inclusion goes beyond disability and is not limited to any particular target group. All children need support to fully participate in school. All employees need breaks during the day and flexible working arrangements from time to time.

With this in mind, ENIL calls on MEPs to:

- Re-establish the Disability Intergroup and, through the Intergroup, to set up disability focal points in all Parliamentary Committees. This will help ensure that the universal nature of social inclusion is recognised and mainstreamed across all policy fields.
- Adopt a strong European Disability Strategy 2020 - 2030, guided by the UN Convention on the Rights of Persons with Disabilities (UN CRPD) and its general comments, including the General Comment No. 5 on living independently and being included in the community.
- Adopt clear definitions of key concepts relevant to disabled people, such as Independent Living, Personal Assistance and deinstitutionalisation, using the UN CRPD and the General Comment 5 on Article 19, and ensure that these are consistently applied in the relevant laws, policies and programmes at EU level.

2. End institutional care and promote access to community-based services and Personal Assistance for all those in need.

Being able to live your life according to your own choices is essential for participation and social inclusion. However, as evidenced by recent research carried out by the EU Fundamental Rights Agency (FRA) and the Academic Network of European Disability Experts (ANED)¹, disabled people across Europe are still being segregated and excluded from society in large or small institutions. The UN CRPD, which has been ratified by the EU and all 28 Member States, requires a shift away from this traditional service model, based on institutional and residential care, towards a system that enables disabled people to live in the community, with access to all their rights. This means that Community-Based Services (CBS) and access to Personal Assistance (PA) must be made available across the EU.

¹ See: <https://www.disability-europe.net/downloads/1030-year-4-2018-2019-policy-theme-il> and <https://fra.europa.eu/en/publication/2018/independent-living-reality>.

In line with the UN CRPD, the EU should promote a shift towards a system of support that enables and empowers people to take control over their life and to live included in society.

With this in mind, we urge the European Parliament to:

- Adopt a strong position on the importance of fully accessible and inclusive mainstream services and facilities, as a precondition for deinstitutionalisation. All Member States should adopt a CRPD compliant strategy and a concrete plan of action for deinstitutionalisation. In addition to closing large long-stay residential institutions, the strategy and action plan should foresee investments in the accessibility of mainstream services and the development of Community-Based Services and Personal Assistance schemes. This will help ensure that not a single EU citizen is forced into residential or institutional care due to the lack of other options.
- Monitor the use of European Structural and Investment Funds (ESIF), in order to ensure that these funds are used for the development of genuine independent living services for children and adults with disabilities and deinstitutionalisation, in line with Article 19 of the UN CRPD and the General Comment No. 5 on the right to live independently and being included in the community.
- In cooperation with disabled people and their representative organisations, monitor all investments in the care and health sectors. This will help ensure that no public or private funds, including those aimed at improving energy efficiency, are spent on the building, maintaining and/or renovating residential institutions of any type.
- Take a lead in promoting the transition from institutional care to community-based services, such as Personal Assistance (PA), using all available legal and policy means.

3. Promote the freedom of movement for all by working towards a common European social framework.

Freedom of movement of goods, people, services and capital is a basic EU principle, enshrined in the Treaty on the Functioning of the European Union (TFEU). Today, businesses in the EU already make use of the possibilities offered by the right to free movement. Private citizens, on the other hand, often cannot fully enjoy their right to live, work or study in another EU Member State. The reason for this is simple: there is no European social framework to support the right to free movement.

The European Pillar of Social Rights states that everyone has a right to, amongst others, social protection, an adequate income and access to essential services, including transport. Yet, in practice, many European citizens cannot access these rights while traveling or living in another Member State. This prevents people from discovering the possibilities of European Citizenship and perusing opportunities to work or study across the EU. This is especially true for disabled EU citizens.

To ensure that all (disabled) people in the EU have the right to free movement, ENIL calls on the European Parliament to:

- Improve the coordination of support services between countries and set up contact points in all Member States to inform (disabled) EU citizens about their rights and the available support services.
- Make sure that transnational programs like Erasmus+ and the European Solidarity Corps are fully accessible and inclusive of all EU citizens, whatever their support needs are.
- Work with the Member States towards a revision of Article 153 of the Treaty on the Functioning of the European Union (TFEU), to give the EU the tools to contribute to a progressive, effective and consistent social policy.
- Work towards an enforceable right to mainstream accessible public transport for all EU citizens.