



ENIL toolkit to the European Elections 2024 and the Legislative Period 2024-2029 of the European Parliament



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1. Introduction

1.1 What are the European Elections?

European Parliament elections take place every five years and have done so since 1979. In 2024, 720 Members of the European Parliament will be elected. Article 14 of the Treaty of Lisbon is the basis for the elections.

“The European Parliament shall be composed of representatives of the Union’s citizens. They shall not exceed seven hundred and fifty in number, plus the President. Representation of citizens shall be degressively proportional, with a minimum threshold of six members per Member State. No Member State shall be allocated more than ninety-six seats”.

The number of Members of the European Parliament is different in each member state. Countries with a larger population get a greater number of seats. In 2024, Germany will be allocated the highest number of seats—96 seats and Malta, Cyprus and Luxemburg will get the lowest number— 6 seats. To find out more about the distribution of seats check this [website](#).

This election toolkit has two objectives. First, to provide general information about the elections. Second, to support you in getting touch with the Members of the European Parliament in your country and advocate directly for our political objectives.

1.2 What is the European Parliament?

The European Parliament is one of the three main decision making institutions that make up the EU alongside the European Commission and the Council of the European Union.

The European Parliament has three main roles:

1. European Legislation: The European Parliament works together with the Council as co-legislature and discusses the basis of EU laws and officially adopts them.
2. Institutional Supervision: The European Parliament reviews the work of the Commission and other EU institutions to make sure they work transparent and democratic. Before taking office, the new 2024 Commission will have to be approved by the newly elected Parliament.



3. **Budget Supervision:** The European Parliament plays an important role in adopting the EU budget and monitors the expenditure of the budget throughout the year.
4. The European Parliament is based in **three locations**; Luxemburg (Secretariat), Strasbourg (Plenary Sessions) and Brussels (Plenary Sessions & Committee meetings).¹

1.3 When will the elections take place?

Elections to the European Parliament will be held in all member states of the European Union between the **6th and 9th June 2024**. Each member state can decide on the type of electoral system and procedures they put in place for the election. All member states must use the proportional representation system which can be either the party list system or the single transferable vote system. Most of the member states of the EU elect their MEPs with a single constituency covering the entire state but some member states divide the country into a number of regions or constituencies.²

1.4 Why is it important to vote?

There are a number of reasons why voting in the European Elections is important and how the decisions taken at a European level can have a direct effect on our daily lives. Below we will list some examples. For more detailed information on EU impact in your county you can also check the website: <https://what-europe-does-for-me.eu/en/home>

1. **European Union Legislation:** EU regulations and directives have succeeded in speeding up the process of the adoption of national legislation that protect disabled people. For example, the EU Passenger Rights legislation obliged the member states to make their public transport more accessible.
2. **Use of the EU Structural Funds:** How the European Union invests the Structural Funds plays a crucial role in deinstitutionalisation. It is imperative that these funds are used to invest in Personal Assistance and community-based support and **not** to improve or to build more institutions in member states. The upcoming elections will be crucial for the adoption of the new legislation

¹ https://europa.eu/european-union/about-eu/institutions-bodies/european-parliament_en

² <http://www.europarl.europa.eu/at-your-service/en/be-heard/elections>



governing the use of the Funds after 2024. Therefore, we need to make sure the disability voice is heard loud and clear.

- 3. Decrease the Democratic Deficit:** The European Parliament is the only directly elected body of the European Union and is a direct link to the constituents in the member states. In recognition of the importance of an engaged citizenship in Europe, the European Parliament has gained more power over the years. In 2018, the European Parliament and the Council of Ministers also reached an agreement to make it easier for EU citizens to make their own proposals for EU legislation via the EU Citizens' Initiative. For more information on the Citizens' Initiative, see: <http://ec.europa.eu/citizens-initiative/public/welcome>

1.5 Getting in touch with MEPs

The European Network on Independent Living is a political organisation. We lobby for deinstitutionalisation, personal assistance, peer support, access to employment and housing and many other things required to remove the social, attitudinal and environmental barriers which cause disability. On the occasion of the European Elections and the new legislative period, we have adopted a manifest, outlining our political agenda for next years.

The manifesto is directed at the Members of the European Parliament and formulates 11 political objectives. First, we ask for more EU support to Independent Living through the creation of an Independent Living directive. Second, we ask MEPs to support the full participation of disabled people in the elections by adopting a new electoral law. Third, we are asking the EU to improve equal access to employment, social protection, housing and education by renewing the employment equality directive and by adopting the horizontal equal treatment legislation. The entire manifesto can be found in the annex.

The elections are a great moment to secure commitments from MEPs to support our agenda. Since the European Parliament has 705 members, it is impossible for the ENIL secretariat to talk to all of them. Thus, the Independent Living Movement needs your support to make the political objectives known!

We encourage you to contact your national MEPs and ask for meetings. Use the occasion to present our political objectives and also ask for financial support so that as many disabled people from your country can attend [the Freedom Drive 2024](#) in Brussels, taking place from the 23rd to the 25th of September in Brussels.



Below you will find a sample letter you can use to contact your MEPs. Below the sample letter, we have provided links to lists of Parliamentarians from your country.

During the meetings, you can present from our manifest, other ENIL policy documents or your own political statements. Of course, you can talk to the MEPs about your personal political ideas too.

You can continue to use this toolkit after the elections. With the elections being over the window of opportunity to secure commitments has not closed. If you want to, continue attempts to get in touch with your MEPs.

ENIL is always looking to expand its network of supportive and allied MEPs. If you meet a Member of Parliament that supports ENILs´ political objectives, inform us about that person. In the annex you will find a form that you can fill out.

Here you find a list with ENIL policy documents:

The ENIL Manifest to the European Elections and the Legislative period 2024-2029

[The ENIL Proposal to the Guidance to Member States on Independent Living](#)

[The ENIL Proposal to the Framework on Social Services of Excellence](#)

[The ENIL Statement on the European Disability Card](#)

1.6 Supportive MEPs

This section presents a small list of MEPs who work on the topic of disability and are receptive towards input from the disability movement:

Brando Benifei: https://www.europarl.europa.eu/meps/en/124867/BRANDO_BENIFEI/home

Rosa Estaràs Ferragut:

https://www.europarl.europa.eu/meps/en/96811/ROSA_ESTARAS%20FERRAGUT/home

Giorgos Georgiou:

https://www.europarl.europa.eu/meps/en/197416/GIORGOS_GEORGIU/home

Ádám Kósa: https://www.europarl.europa.eu/meps/en/96829/ADAM_KOSA/home

Radka Maxová: https://www.europarl.europa.eu/meps/en/197522/RADKA_MAXOVA/home



Dragoș-Nicolae Pîslaru:

https://www.europarl.europa.eu/meps/en/197663/DRAGOS_PISLARU/home

Monica Semedo: https://www.europarl.europa.eu/meps/en/197418/MONICA_SEMEDO/home

Sylwia Spurek: https://www.europarl.europa.eu/meps/en/197550/SYLWIA_SPUREK/home

Mónica Silvana González:

https://www.europarl.europa.eu/meps/en/197728/MONICA+SILVANA_GONZALEZ/home

Tilly Metz: https://www.europarl.europa.eu/meps/en/193292/TILLY_METZ/home

Marianne Vind: https://www.europarl.europa.eu/meps/en/199941/MARIANNE_VIND/home

1.7 Allied MEPs

This section presents a small list of MEPs who are not only supportive but can be considered allies because they show stronger commitment to Independent Living.

Jose Gusmao (Portugal):

https://www.europarl.europa.eu/meps/en/88715/JOSE_GUSMAO/home

Katrin Langensiepen (Germany):

https://www.europarl.europa.eu/meps/en/197461/KATRIN_LANGENSIEPEN/home

Anne-Sophie Pelletier (France):

https://www.europarl.europa.eu/meps/en/197527/ANNE-SOPHIE_PELLETIER/home

Stelios Kypouropoulos:

https://www.europarl.europa.eu/meps/en/197692/STELIOS_KYMPOUROPOULOS/home



2. Sample letter

Dear [MEP's name]

My name is [Your name and/or the name of your organisation] and I am writing to you as a dedicated member of the European Network for Independent Living (ENIL) to request a meeting with you regarding a matter of great importance—disability rights and independent living.

ENIL has adopted a manifest to the European Elections and the Legislature 2024-2029, outlining a new policy agenda to advance the rights of disabled people and the implementation of the United Nations Convention on Rights of Persons with Disabilities in the EU. We are sending you our manifest attached to this e-mail. We would also like to present our political vision to you in person.

As a member of the European Parliament your perspective is crucial in addressing the challenges faced by people with disabilities and advancing their right to living independently.

We are particularly interested in understanding your perspective on policy ideas and other legislative initiatives within the European Union. We would also like to present to you our campaigning event in 2024, the Freedom Drive.

Please let me know a convenient time for you to meet, either in person or virtually, and I will gladly accommodate your schedule. Thank you for considering my request, and I look forward to the opportunity to discuss these important matters with you.

Kind regards,

[Your name]



3. Finding your national MEPs

With the European elections coming up this summer, now is the time to make our voices heard. We encourage all ENIL members to reach out to your national Members of the European Parliament (MEPs) and arrange a meeting with them. Through this, we have the opportunity to show them the importance of independent living. Your personal stories have the ability to inspire meaningful legislative action. Please find below a link showcasing a list of MEPs for each European country, from which you can find their contact details. Reach out to your national MEPs today and let them know why independent living is important. You can should use the opportunity to mention the Freedom Drive 2024 which will take place from the 23rd to the 25th of September in Brussels. MEPs have budgets to finance journeys of citizens to Brussels. Don't hesitate to ask for funding for travel and accommodation expenses related to the Freedom Drive.

Belgium

<https://www.europarl.europa.eu/meps/en/search/advanced?countryCode=BE>

Bulgaria

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=BG&constituency=&bodyType=ALL>

Czechia

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=CZ&bodyType=ALL>

Denmark

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=DK&bodyType=ALL>

Germany

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=DE&bodyType=ALL>

Estonia

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=EE&bodyType=ALL>

Ireland

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=IE&bodyType=ALL>



Greece

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=GR&constituency=&bodyType=ALL>

Spain

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=ES&bodyType=ALL>

France

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=FR&bodyType=ALL>

Croatia

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=HR&bodyType=ALL>

Italy

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=IT&bodyType=ALL>

Cyprus

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=CY&constituency=&bodyType=ALL>

Latvia

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=LV&bodyType=ALL>

Lithuania

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=LT&bodyType=ALL>

Luxembourg

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=LU&bodyType=ALL>

Hungary

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=HU&bodyType=ALL>



Malta

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=MT&bodyType=ALL>

Netherlands

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=NL&bodyType=ALL>

Austria

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=AT&bodyType=ALL>

Poland

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=PL&bodyType=ALL>

Portugal

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=PT&bodyType=ALL>

Romania

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=RO&bodyType=ALL>

Slovenia

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=SI&bodyType=ALL>

Slovakia

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=SK&bodyType=ALL>

Finland

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=FI&bodyType=ALL>

Sweden

<https://www.europarl.europa.eu/meps/en/search/advanced?name=&euPoliticalGroupBodyRefNum=&countryCode=SE&bodyType=ALL>



4. European Political Parties and party groups

National political parties are often members of European political parties. They choose their membership depending on which European party is closer to their political objectives. Established national parties typically group together with the parties from other EU countries which belong to their political family. Socialist and socialdemocratic parties tend to join the Party of European Socialists. Christiandemocratic and conservatives the European People's Party. Green parties the European Green Party, ect. We will list the current European political parties below.

In the European Elections you can not directly vote for a European political party. This is because European electoral law currently does not foresee transnational voting list. Every country votes with national voting lists. When you go to the ballot box on election day, you will find the national political parties from your country on the ballot paper.

Once elected to the European Parliament, the MEPs coming from the various countries form party groups with their European colleagues, depending on their political objectives. Party groups can change after each election, since they are formed spontaneously and have no permanent legal status. Below we will provide a list of the party groups active in the current legislative period.

By browsing the websites of the European political parties and the various parliamentary groups, you will be able to find out where your national parties have their membership.

4.1 European political parties

1. **Party of the European Socialists (PES):** "The Party of European Socialists brings together socialist, social democratic, labour and democratic parties from the European Union, UK and Norway. Together with our associate and observer parties, we promote our shared values of social fairness, equality, and societal wellbeing and fight for a progressive, fair, free and sustainable Europe." www.pes.eu
2. **European People's Party (EPP):** "The EPP is the political family of the centre and the centre-right in Europe. We put the human being at the centre of our convictions. Our actions are based on the principles of justice and the common good, solidarity and responsibility. We defend a strong European Union based on pluralist democracy, the social market economy and environmental sustainability". www.epp.eu
3. **Alliance of Liberals and Democrats for Europe Party (ALDE):** "Our liberal vision is anchored around a free, democratic, entrepreneurial, sustainable, and united continent open to the world. European values are Liberal values. This Manifesto is our pledge to protect fundamental values amid rising anti-liberal forces, reinforce a world-leading and



prosperous Europe, and build a more liberal Europe for all." <https://alde.eu/en/>

4. **European Green Party:** "The European Green Party stands and acts for a political, social, and economic transformation based on the values of environmental responsibility, social justice, inclusion, diversity, and peace. Together with our member parties, we advocate for policies and actions to counter the challenge of climate change and the growing social inequalities, while investing in building a Greener, safer, and responsible Europe that leaves no one behind. " www.europeangreens.eu
5. **Alliance of European Conservatives and Reformists (ECR):** "We are united by our centre-right values. The ECR Party is dedicated to individual liberty, national sovereignty, parliamentary democracy, private property, limited government, free trade, family values and the devolution of power. These values underpin our politics, including our vision for a reformed European Union." www.aecr.eu
6. **Party of the European Left:** "We unite democratic parties of the alternative and progressive Left on the European continent that strive for the consistent transformation of today's social relationships into a peaceful and socially just society on the basis of the diversity of our situations, our histories and our common values. For more information visit <https://www.europeanleft.org/manifesto/>" www.european-left.org
7. **Identity and Democracy Party** <https://id-party.eu/>
8. **European Free Alliance:** "The European Free Alliance (EFA) promotes the right to democratic self-determination and supports the peoples' aspirations to choose their own political future, including independence, greater autonomy or linguistic and cultural recognition for minorities. EFA aims for European unity in diversity based on the principle of subsidiarity and social justice." <http://www.e-f-a.org/home/>
9. **European Christian Political Movements:** "The European Christian Political Movement (ECPM) is the only European political party explicitly promoting Christian values in European politics around seven political spearheads: Human dignity; Healthy families; Economy benefiting people and planet; Freedom, Security and Stability; Fighting Modern Slavery; Reforming the EU; Preserving Christian Culture and Heritage." www.ecpm.info
10. **European Democratic Party:** "The European Democratic Party (EDP) brings together political parties and MEPs who want a Union closer to its citizens. We are a trans-national political movement committed to building a European democracy based on the shared values of peace, freedom, solidarity, and education, while proudly affirming its culture in tomorrow's world." <http://www.democrats.eu/>



4.2 Party groups in the European Parliament in the legislative period 2019 – 2024

1. **Group of the Progressive Alliance of Socialists and Democrats in the European Parliament:** <https://www.socialistsanddemocrats.eu/>
2. **Group of the European People's Party (Christian Democrats):** <https://www.eppgroup.eu/>
3. **The Left group in the European Parliament GUE/NGL:** <https://left.eu/>
4. **Renew Europe Group:** <https://www.reneweuropesgroup.eu/>
5. **Group of the Greens/European Free Alliance:** <https://www.greens-efa.eu/en/>
6. **European Conservatives and Reformists:** <https://ecrgroup.eu/>
7. **Identity and Democracy:** <https://www.idgroup.eu/>



5. Useful Tips and Links

- Please remember you must be registered to vote in the European Elections, please check that you are registered in the member state you have your residence in. Yes, you can vote in another EU country without being a national citizen, provided you have a registered residence there. You can check how to register and by which deadline on the official website for the European Elections: <https://elections.europa.eu/en/>
- Please remember to bring a valid ID such as a passport or national identity card
- Contact your local CIL or National Disability Organisation if you require support to attend the polling station or information about accessible voting in your member state
- For additional information, browse the official website to the European Elections: <https://elections.europa.eu/>



ANNEX I Informing ENIL about supportive MEPs

You have met a Member of the European Parliament who was supportive about our political objectives. Please inform us about that person by filling out and returning this form.

Surname and name

Country

Party

Link to the MEPs website

Thank you so much for helping us!



Annex II ENIL Manifesto to the European Elections and the Legislative period 2024-2029 of the European Parliament

“To finally make progress in advancing towards equal rights for disabled people, I propose we turn articles of the UN CRPD into European Union Directives”

(Adolf Ratzka)

For a renewed agenda on disability rights

Manifesto of the European Network on Independent Living

for the European Elections and the European Parliament legislature 2024-2029



From the 6th to the 9th of June 2024, the 10th European Elections will take place across all 27 EU Member States. 350 million people are eligible to vote for a new European Parliament, making it one of the largest democratic exercises in the world. Within the European Union, 110 million people are disabled. The elections also mark the start of a new legislative period which will last until 2029. It is the perfect time to look forward and to formulate a new, ambitious agenda, so that disabled people all over Europe will see the changes they expect.

When ratifying the UN Convention on the Rights of Persons with Disabilities (UN CRPD), the European Union and all its Member States committed themselves to an ambitious agenda to ensure equal rights of disabled people. Over a decade later, the progress towards this objective has been limited. Disabled people are far from enjoying their rights on an equal basis to non-disabled people. Many live in isolation, entirely excluded from the society. No more!

Members of the Independent Living Movement are asking the European Union to intensify their efforts with the objective of achieving equal rights of disabled people. We are asking for a renewed, serious political agenda on disability rights which is co-produced with disabled people and their representative organisations. We are asking the continuing and the new Members of the European Parliament to commit themselves to end the oppression and exclusion of disabled people. We ask the new European Parliament and its Members to act and implement the following objectives:



1. **Guarantee the right to Independent Living** by adopting an EU Directive on Independent Living, requiring Member States to close all institutions and put in place personal assistance, peer support, support to access housing and employment, accessible mainstream services and other services.
2. **Ensure full participation of disabled people in the European Elections** by adopting a Regulation of the Council and the European Parliament on the election of the Members of the European Parliament by direct universal suffrage. Such a regulation needs to affirm the right of all disabled people to active and passive participation in the Elections.
3. **Ensure equality of treatment in employment and in accessing social protection, education, goods and services, and housing** by revising Directive 2000/78/EC on equal treatment in employment and occupation and adopting the Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation.
4. **Ensure that EU Funds support Independent Living, not segregation** by ensuring that the next Common Provisions Regulation, and the Regulations establishing the European Social Fund Plus (ESF+) and the European Regional Development Fund (ERDF) prohibit investments in institutions.
5. **Ensure disabled people have full access to the freedom of movement** by adopting a regulation or a directive on cross-border access to disability-related support, such as personal assistance.
6. **Ban the financing of institutions through state aid. Finance community-based services instead.** Do this by reforming Commission Regulations 1407/2013 and 360/2012 on de minimis aid and Commission Decision of 20 December 2011.
7. **Reinforce legal safeguards against forced sterilization and sexual violence by supporting** efforts to have gender-based violence added to the EU list of crimes. Commit to the efforts to modify the Directive on Combating Violence against Women.
8. **Prohibit the cross-border recognition of guardianship and placement orders** by withdrawing the proposed Regulation of the European Parliament and of the Council on jurisdiction, applicable law, recognition and enforcement



of measures and cooperation in matters relating to the protection of adults and proposing a new legislative proposal.

9. **Improve the involvement of disabled people in EU policy making** by setting up a disability council tasked with co-producing legislation and policy.
10. **Establish disability policy as a matter of justice and rights** by moving the disability portfolio from the Directorate General for Employment and Social Policy (DG EMPL) to the Directorate General for Justice and Consumers (DG JUST).
11. **Ensure the rights of disabled people are protected when travelling as passengers** by air by conducting an in-depth revision of Regulation 1170/2006 of the European Parliament and the Council.

I pledge to support the objectives of the ENIL Manifesto to the European Elections and the European Parliament legislature 2024-2029:

Name

Signature

About the European Network on Independent Living

The European Network on Independent Living (ENIL) is a Europe-wide network of disabled people, with members throughout Europe. ENIL is a forum for all disabled people, Independent Living organisations and their non-disabled allies on the issues of Independent Living. ENIL represents the disability movement for human rights and social inclusion based on solidarity, peer support, deinstitutionalisation, democracy, self-representation, cross disability and self-determination. For more information, see: www.enil.eu.



Objective 1

Guarantee the right to Independent Living

To achieve this objective, we need an **EU Directive on Independent Living**. Such a directive should require that Member States close all institutions and that they put in place all the preconditions for independent living, including **personal assistance, peer support, support to access housing and employment, accessible mainstream services and other services, in line with the UN CRPD**.

The UN CRPD, especially Article 19 on “Living independently and being included in the Community” and the General Comment No 5 protect the right of disabled people to live free of institutions and to have access to personal assistance. States parties are obliged to complete the process of closing down all institutions and to place a moratorium on new admissions.

Article 19 of the Treaty on the Functioning of the European Union (TFEU) states that the EU Council, acting “in accordance with a special legislative procedure, after obtaining the consent of the European Parliament, may take appropriate action to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation. “

The General Comment 5 and the Guidelines on Deinstitutionalisation, including in emergencies, make it clear that “institutionalisation is a discriminatory practice”.

Article 5 of the Treaty on European Union (TEU) grants the Union the competence to “act only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States ... but rather by reasons of scale or effects of the proposed action, be better achieved at Union level.

So far, the polities of the EU Member States had the prerogative of developing activities to implement Article 19 of the UN CRPD. Research suggests that between 2007 and 2020, the number of disabled people confined to institutions increased.³ Satisfaction with national personal assistance schemes is low.⁴ Since the Member States are evidently unable to achieve the objectives of Article 19 on their own, it follows that leadership is required from the EU level.

³ In 2007, at least 1.2 million disabled people were estimated to be confined to institutions . In 2020, new research found at least 1,4 million disabled people to be living in institutions .

⁴ The 2022 ENIL Independent Living Survey found that an overwhelming majority of disabled people in the EU rate the quality of personal assistance services as inadequate.



Should the legal framework contained in the TFEU and the TEU be insufficient to allow the Union to develop the necessary legislation, we need changes to the treaties, assigning clear competences to the EU.

Millions of disabled people all over Europe wish to be free of institutions and be active citizens. For that, many need much more support to be able to live in the community. They do not care whether it is the national or the European level who provides solutions. It is time for one level of governance to step up. We ask the Members of the European Parliament to set the EU on course of assuming responsibility.



Objective 2

Ensure full participation of disabled people in the European Elections

This objective can best be achieved by adopting a **Regulation of the Council and the European Parliament on the election of the Members of the European Parliament by direct universal suffrage**.

We ask the Members of the European Parliament to work with both co-legislators - the European Commission and the Council - to ensure the right to vote for all EU citizens. Disabled people's organisations should be fully involved in this process. Such regulation should unambiguously state that all EU citizens of voting age, including all disabled people, regardless of their of their impairment, have the right to vote and to be elected in the European Elections. Political participation needs to be fully accessible. Accommodations and supported decision making have to be provided.

It is the most basic principle of democracy that **every** citizen has the right to participate in the production of the laws by which they are governed either by electing representatives or by voting for the laws directly. The Universal Declaration on Human Rights states that “the will of the people shall be expressed in genuine elections which shall be **universal** and held by equal suffrage.” Article 29 of the UN CRPD states that state parties “shall undertake to ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others ... including the right and opportunity ... to vote and be elected. According to article 10 (3) of the Treaty of European Union (TEU), every citizen shall have the right to participate in the democratic life of the Union. According to article 14 (3) TEU, Members of the European Parliament are elected by direct universal suffrage. In 2015, the European Court of Justice ruled that all EU citizens have a standalone right to vote in the European Elections.

Despite the claimed universality of the European Elections, disabled people face significant legal and de-facto barriers in exercising their right to vote and also in running for office. People with intellectual disabilities, those living in institutions and disabled women are particularly affected. It is estimated that 400 000 disabled people were excluded from the last European Elections in 2019 because they were placed under guardianship. In addition, the Validity Foundation estimates that 7 million people with intellectual disabilities will not be able to participate in the upcoming European Elections due to information and communication barriers.



Objective 3

Ensure equality of treatment in employment and in accessing social protection, education, goods and services, and housing

To achieve this objective, the European Union needs to revise **Directive 2000/78/EC on equal treatment in employment and occupation** on the grounds of religion or belief, disability, age and sexual orientation. It should task the **European Labour Authority (ELA)** with enforcing the directive at the Member State level, and involve disabled people and their representative organisations in directing the work of ELA.

In addition, the EU must finally complete the process of adopting a horizontal non-discrimination directive: **the Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation.**

Reforming the Employment Equality Directive and improving implementation need to remain on the agenda because disabled people continue to be the most excluded from the labour market. Between 2010 and 2021, the employment rate of disabled people has remained largely stable, while the employment rate of non-disabled people has increased.⁵ The lack of access to employment is also responsible for the continued existence of residential institutions and sheltered workshops, a form of segregation of disabled people.

In addition to access to employment, it is necessary to address the gender and disability employment and pay gaps.⁶ Due to these inequalities, disabled women are disproportionately affected by poverty and social exclusion. They often face unequal compensation for equal work or are relegated to unpaid labour. The risk of losing disability allowances upon employment, or experiencing reductions in such benefits, exacerbates their already precarious financial situations.

⁵ According to the European Disability Strategy 2010-2020, in 2010, the employment rate of disabled people stood at 50%, compared to 70% of non-disabled people. A decade later, in 2021, the employment rate of disabled people stood at 50,6%, while the employment rate of non-disabled people increased to 74,8%.

⁶ In 2019, only 49% of disabled women aged 20 to 64 were employed, in contrast to 69.3% of non-disabled women, 53.9% of disabled men, and 82% of non-disabled men.



Disabled people are also at a high risk of being discriminated against in other areas of life, such as social protection, education, supply of goods and services and housing. The consequences of this inequality are grave, since poverty and lack of access to housing are frequent causes of institutionalisation. In the EU, 28,5% of disabled people are at risk of poverty, compared to 22,4% of the non-disabled population. A large share of the homeless population are people with psycho-social impairments. We need more studies to better assess the extent of the problem.

The EU has adopted non-discrimination legislation in the area of race, ethnicity and gender, which is to be welcomed. However, disabled people remain unprotected from discrimination in the EU and require a comprehensive non-discrimination directive of their own.

We ask the Members of the European Parliament to ensure that the topic of equal treatment and the two directives stay on the agenda of the European Parliament, the European Commission and the EU Council.



Objective 4

Ensure that EU Funds support Independent Living, not segregation

Reform the **Common Provisions Regulation and the Regulations establishing the European Social Fund Plus (ESF+) and the European Regional Development Fund (ERDF)** to ensure EU Funds cannot be used to finance institutions for any group of individuals (disabled people, children, older people and others). At the same time, EU funds should be used to finance the expansion of community-based services, such as personal assistance, to the maximum amount possible. Small group homes must not be regarded as community-based services or as part of deinstitutionalisation strategies.

The EU funds can be instruments for positive change, but for that they need adequate resources. Work with the European Commission and the Member States to ensure that the next **Multiannual Financial Framework (MFF)**, including the ESF+, the ERDF, the Erasmus+ Programme and the Citizens, Equality, Rights and Values Programme (CERV) have the resources they need to finance the EU's policies and the implementation of the CRPD in the EU.

EU funds should be accessible to disabled people's organisations through the instrument of technical assistance. Disabled people's organisations should be meaningfully involved in Monitoring Committees, with a diversity of representation that is not limited to national umbrella organisations. Reliable and swift procedures need to be introduced so that funds assigned for projects that discriminate against disabled people can be recovered.

The EU Funds can be a strong instrument to support the expansion of community-based services, enabling Independent Living of disabled people. ERDF can support the development of Centres for Independent Living (CILs) or Personal Assistance User Cooperatives, instead of funding the building and refurbishing of institutions. The ESF+ has financed projects to introduce personal assistance schemes; as is the case in Portugal and Greece. With the help of Erasmus+, DPOs are going on study visits to learn about the provision of personal assistance services. EU funds such as Erasmus+ and the Citizens, Equality, Rights and Values Programme (CERV) support the work of civil society organisations which have close connections to disabled people and can ensure that EU policy making addresses the barriers that still exist in the Member States.



Objective 5

Ensure disabled people have full access to the freedom of movement

The European Union needs to adopt **a regulation or a directive on cross-border access to disability-related support**, such as personal assistance.

According to Article 21 of the Treaty on the Functioning of the European Union (TFEU), all EU citizens have the right to move and reside freely within the territory of the Member States. For example, a Belgian citizen is free to move to Germany to take up work and residence. Exercising this freedom would not be possible without having access to social security and social assistance. To eliminate this barrier, a regulation on the application of social security schemes to employed persons and their families moving within the EU was adopted in 1971. In May 2010, it was replaced by Regulation 883/2004 on the coordination of social security systems. Thanks to this, EU citizens moving to another Member State have access to the public pension, healthcare and unemployment schemes.

Disability specific services and benefits are not included in regulation 883/2004. For disabled people, there is no automatic access to disability specific services like personal assistance or housing support. To be granted such services, disabled people who move to another Member State must undergo a new disability assessment and are subject to new eligibility procedures. This process can take years. Thus, disabled people who require access to different support services cannot exercise the right granted in Article 21 TFEU.

Preventing disabled people from choosing their place of residence curtails self-determination and thus Independent Living. It violates Article 5 on equality and non-discrimination and Article 18 on the liberty of movement of the UN CRPD.

Attempts to introduce such automatic access through the European Disability Card failed, despite the support of the European Parliament, due to Member States' resistance. However, the European Commission expressed its willingness to search for other ways to introduce cross-border access to disability services, such as personal assistance. It is important that also disabled people in institutions receive the European Disability Card, so they can go on holidays in other countries and get preferential conditions and benefits. Member States should provide the support needed to do so.

We ask the Members of the European Parliament to take action to eliminate the existing discrimination in this area.



Objective 6

Ban the financing of institutions through state aid. Finance community-based services instead.

Introduce a ban on the financing of institutions to the EU regulations on state aid. To this end, the **Commission Regulations 1407/2013** and **360/2012 on de minimis aid** must be amended, so that providers of institutional care are exempt from the permission to receive EUR 200 000 and EUR 500 000 in state aid, respectively, over a period of three fiscal years. In addition, the **Commission Decision of 20 December 2011** on the application of article 106 (2) Treaty on the Functioning of the European Union (TFEU) to State aid in the form of public service compensations must be revised to ensure that providers of institutions are unable to receive a compensation of EUR 15 million per year.

State aid is important in supporting the availability, accessibility and affordability of social services in the Member States. However, recent evidence produced by ENIL shows that state aid plays a significant role in the financing of institutions. For example, the non-profit social welfare providers in the German state of Lower-Saxony receive EUR 20 million per year from the state budget.

The EU treaties define state aid as any financial advantage, be it subsidies, loans or capital injections, granted to companies or associations. State aid is considered illegal if it threatens competition in the internal market. In such cases, the European Commission has the power to oblige member states to retrieve the funding granted. In its legal practice, the argument that state aid must promote the public interest of having access to public services has been used. ENIL is asking to continue this practice and make use of the criteria contained in the UN CRPD to decide whether state aid provided to institutions is permissible or not.

[General Comment No 5](#) states that “no new long-term institutions should be built and that older long-term care residential institutions should not be renovated beyond the most urgent measures necessary to safeguard residents’ physical safety”. In addition, “state parties should ensure that public or private funds are not spent on maintaining, renovating, establishing, building or creating any form of institutions or institutionalization”. Therefore, to comply with the UN CRPD, the EU and the Member



States must ensure that no public funds are channelled into new or existing institutions for disabled people, or any other group.

Objective 7

Reinforce legal safeguards against forced sterilization and sexual violence

Support efforts to have **gender-based violence added to the EU list of crimes**. Commit to the efforts to modify the **Directive on Combating Violence against Women**. Forced sterilization needs to be criminalized and the dissent-based definition of rape (“no means no”) needs to be replaced by a consent-based definition (“only yes means yes”). We were shocked to see that the EU Council refused to approve such legal provisions during the current legislative period.

According to Article 16 of the UN CRPD, State Parties shall “protect persons with disabilities from violence and abuse, including their gender-based aspects”. State parties shall prevent violence and abuse “by ensuring appropriate forms of gender and age-sensitive assistance and support.” State parties “shall put in place effective legislation and policies, including women- and child-focused legislation and policies, to ensure that instances of exploitation, violence and abuse against persons with disabilities are identified, investigated and, where appropriate, prosecuted.”

The EU Fundamental Rights Charter states that everyone has the right to liberty and security of person.

Disabled people face an increased risk of becoming victims of violence. A total of 17% experience violence, compared to 8% of non-disabled people. A staggering 50% of disabled people experience harassment. Disabled women and girls face multiple and intersectional forms of discrimination in all areas of life. They are more likely to face interpersonal, institutional and structural violence. They are often victims of violence within institutional settings. Violence against disabled women can manifest in different forms, including harassment, physical and sexual violence, trafficking in human beings, as well as forced contraception, abortion and sterilisation.

A study by the European Council of Autistic People involving persons with multiple impairments found that 8 in 10 female participants experienced sexual violence, with half happening more than once. They found that 1 in 2 female participants were sexually abused and that 1 out of 3 female participants have been raped.



The Committee on the Rights of Persons with Disabilities routinely criticised a number of EU countries in its concluding observations for not stopping forced sterilisations of disabled people. In Germany, according to 2017 statistics 17% of all women with disabilities have been sterilised, compared to 2% of the women nationwide.

In addition, disabled women encounter stigma and specific barriers when reporting violence and accessing justice, resulting in secondary victimization. Therefore, it is crucial to ensure effective support and protection measures for disabled victims. To this end, promoting training and capacity building of professionals, particularly police officers, judges, and healthcare professionals, is essential. Furthermore, financing and promoting emotional and comprehensive sexuality education are fundamental aspects of addressing violence and stereotypes.



Objective 8

Prohibit the cross-border recognition of guardianship and placement orders

Withdraw the proposed **Regulation of the European Parliament and of the Council on jurisdiction, applicable law, recognition and enforcement of measures and cooperation in matters relating to the protection of adults**. The proposed regulation would create a recognition of guardianship regimes and orders to institutionalise disabled people across borders.

The regulation on the protection of adults would perpetuate laws allowing for the denial of legal capacity, for the restrictions of liberty and for the existence of institutions, and is thus incompatible with the UNCRPD. The adoption of such a law by the EU would be unacceptable. We ask MEPs to convince the European Commission to exercise its power to terminate all negotiations concerning this piece of legislation.

Institutionalisation and guardianship regimes do not need additional legal protection but must be outlawed and replaced with supported decision making and opportunities for all disabled people to live in the community. To do this, **both need to be added to the EU list of crimes**. Subsequently, **an EU directive banning both forms of should be adopted**.

The above regulation was proposed in May 2023 and lays down rules to “determine the Member State whose authorities have jurisdiction to take measures directed to the protection of the person or property of the adult”. The regulation is “to apply in civil matters to the protection in cross-border situations of adults who, by reason of an impairment or insufficiency of their personal faculties, are not in a position to protect their interests”. Protective measures can encompass “guardianship, curatorship and analogous institutions, the designation and function of any person or body having charge of the adult’s person or property, representing, or assisting the adult, decision concerning the placement of the adult in an establishment or other place where protection can be provided”.

The regulation proposes cross-border recognition and enforcement of such measures: “A measure taken by the authorities of a Member State shall be recognised in the other Member States without any special procedure being required”. In addition, “a measure taken by the authorities of a Member State which is enforceable in that Member State



shall be enforceable in another Member State without the need for a declaration of enforceability”.

Article 12 of the UN CRPD forbids restrictions of legal capacity. It requires State parties to “ recognise that persons with disabilities enjoy legal capacity on an equal basis with others on all aspects of life”. Instead of appointing legal guardians, state parties are obliged to introduce supported decision-making regimes: “State Parties shall take appropriate measures to provide access by persons with disabilities to the support they may require in exercising their legal capacity”. Article 14 forbids restrictions of liberty and Article 19 requires the abolition of institutions.



Objective 9

Improve the involvement of disabled people in EU policy making

To improve the involvement of disabled people in the shaping of laws and policies which affect their lives, the EU must follow the co-production approach. Co-production requires that decision makers and the people affected come together and take joint decisions, while sharing power. To make this work, we need **a permanent mechanism**, ensuring disabled people can co-produce the policies that affect them.

We therefore ask for an establishment of **a permanent disability council, which** would adopt positions on all the laws or policies affecting disabled people, in all fields of action. To ensure full inclusivity and representation, it is crucial that the proposed EU disability council reflects diverse perspectives within the disabled community, including gender balance and representation from other marginalised groups.

At least 87 million people in the EU are disabled. Disabled people represent a large part of the population and thus deserve to be heard when decisions are made which affect their lives, as is expressed in the slogan “nothing about us without us”.

According to the UN CRPD, state parties are to “closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations” in the development and implementation of legislation and policies connected to the Convention. General Comment 7 defines representative organisations as those that are “led, directed and governed by persons with disabilities”, with the majority of their membership recruited amongst disabled people themselves. Such involvement is to take place in all decision-making processes concerning all issues relating to persons with disabilities, and at all levels.

People who do not share personal experiences of impairment and disability often have difficulties comprehending the lived reality of disabled people. Policy and decision makers who are not disabled themselves rarely have a good understanding of the subject. Such lack of understanding is clearly visible in many decisions made at the local, regional, national and EU level. When disabled people and their representative organisations co-produce laws, policies and programmes, they are more just, of higher quality and more effective in actually improving the lives of disabled people.



Objective 10

Disability policy is a matter of justice and rights

Work with the European Commission to move the disability portfolio **from the Directorate General for Employment and Social Policy (DG EMPL) to the Directorate General for Justice and Consumers (DG JUST)**.

Within the European Commission, the Directorate General for Justice and Consumers is in charge of policies involving the fundamental rights of EU Citizens. Tackling discrimination, racism, gender equality, equal pay rules, actions on Roma integration and LGBTI equality are all within the portfolio of DG JUST. For example, DG JUST proposed the Work-Life Balance Directive, introducing minimum standards on parental leave and protecting the rights of parents.

To a large extent, EU disability policy is about implementing the UN CRPD. It remains the only UN treaty ratified by the European Union. As long as disabled people remain in DG Employment, Social Affairs and Inclusion, there is an implication that they are not deserving of full protection of their rights.

Guaranteeing rights means justice and justice has to be provided every day. The resources to enforce justice have to be made available. Disabled people expect society to respect their rights every single day and the EU to implement the UN CRPD in every Member State. EU disability policy is thus a matter of justice and fundamental rights, not just of employment and social affairs .



Objective 11

Ensure the rights of disabled people are protected when travelling as passengers by air

Conduct an **in-depth revision of Regulation 1170/2006** of the European Parliament and the Council concerning the rights of disabled persons and persons with reduced mobility when travelling by air.

For disabled people, travelling by air can be fraught with difficulties as they encounter discrimination and humiliation. All too frequently, airlines deny boarding. For wheelchair users, especially users of electric wheelchairs, travelling by air can become very expensive since their wheelchairs are often returned to them damaged. This creates the added problem, that they are rendered immobile at the destination. At the moment, airlines do not assume responsibility and liability for broken wheelchairs and do not undertake efforts to safely store such equipment for the duration of a flight. Such events transpire, despite prior notifications of the airline that there is a wheelchair to be transported. Staff is often completely unprepared and needs considerable amounts of time to effectuate loading and storage. There are many reported instances of the crew announcing the reason for the delay to the complete cabin full of passengers with the disabled person sitting right in front of everyone. In addition, there is uncertainty created by a lack of information on accessibility to the aircraft and safety rules regarding assistive devices.

Disabled people having equal rights in access to transport - air, trains, buses and coaches, or maritime transport - is protected by UN CRPD and one of the pillars of Independent Living. Article 5 of the Convention obliges state parties to “prohibit all discrimination on the basis of disability and guarantee equal and effective legal protection against discrimination on all grounds”. “State parties shall take appropriate steps to ensure that reasonable accommodation is provided.”

The regulation concerning the rights of disabled persons and persons with reduced mobility when travelling must prevent any denial of boarding on the basis of disability. In cases of discrimination, there needs to be a swift and fair compensation procedures. Airlines have to be obliged to ensure that mobility equipment and assistive devices are fully compensated when damaged or lost. When airlines deny compensation, there needs to be a sufficiently empowered national enforcement body to enforce measures.



This document does not elaborate the various concepts in detail. If you are looking for detailed recommendations on how to organise deinstitutionalisation, personal assistance or peer support you should consider the following publications:

ENIL Proposal to the Framework on Social Services of Excellence. https://enil.eu/wp-content/uploads/2024/03/ENIL-Proposal_SoSe-of-Excellence_FINAL-Version.pdf

ENIL Proposal to the Guidance to Member States on Independent Living. https://enil.eu/wp-content/uploads/2023/05/ENIL_Proposal-to-the-Guidance-on-Independent-Living.pdf

Myth Buster on Personal Assistance. https://enil.eu/wp-content/uploads/2023/06/Myths-Buster_Personal-assistance_web_low-res-1.pdf

Myth Buster on Independent Living. <https://enil.eu/wp-content/uploads/2022/03/Myths-Buster-final-spread-A3-WEB.pdf>

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