**Amendments of theEuropean Network on Independent Living(ENIL)**

[To the Draft Council Conclusions on](https://www.consilium.europa.eu/en/meetings/mpo/2025/7/working-party-on-social-questions-(356588)/) the social inclusion of persons with disabilities through the promotion of independent living 10724 /25

|  |  |
| --- | --- |
| Amendment 1  Paragraph 3 (new) | |
| Text proposed by the EU Council | Text proposed by ENIL  **The UN CRPD is part of the legal order of the EU.[[1]](#footnote-1) The Committee on the Rights of Persons with Disabilities has the competence to issue suggestions and recommendations and conduct period reviews of state parties. State parties are called upon to accept these documents as authoritative. In March the Committee published its Concluding Observations to the second and third combined periodic reports of the EU. These Observations need to be implemented over the coming years.** |
| Amendments 2  Paragraph 4 (new) | |
| Text proposed by the EU Council  The right to independent living is enshrined in Article 19 of the UNCRPD, which commits States Parties to take effective measures to facilitate full enjoyment by persons with disabilities of the right to independent living and their full inclusion and participation in the community. The Commission Notice Guidance on independent living and inclusion in the community of persons with disabilities in the context of EU funding (‘Commission Guidance on Independent Living’) provides practical recommendations to Member States on the use of EU funding to promote and support independent living for persons with disabilities. | Text proposed by ENIL  The right to independent living is enshrined in Article 19 of the UNCRPD, which commits States Parties to take effective measures to facilitate full enjoyment by persons with disabilities of the right to independent living and their full inclusion and participation in the community. ***General Comment No 5 on living independently and being included in the community defines Independent Living as exercising choice and control and taking all decisions over their lives. To achieve Independent Living, all barriers preventing choice and control need to be removed. Article 19 should regarded as a horizontal article, depending on all articles of the UN CRPD. The UN CRPD requires state parties to mainstream provisions across all policy areas.*** The Commission Notice Guidance on independent living and inclusion in the community of persons with disabilities in the context of EU funding (‘Commission Guidance on Independent Living’) provides practical recommendations to Member States on the use of EU funding to promote and support independent living for persons with disabilities. |
| Amendment 3  Paragraph 5 (new) | |
| It is estimated that more than one million persons with disabilities aged under 65, and more than two million persons with disabilities over 65, live in institutions in the EU2. Despite progress achieved, Member States are at different stages in developing conditions for independent living, many persons with disabilities still face barriers to fully exercising their right to choose and have control over decisions concerning their lives, including where, how and with whom they live. There is therefore a need for renewed efforts at both the EU and national level, to promote the full enjoyment by persons with disabilities of their right to live in the community on an equal basis with others. | It is estimated that more than one million persons with disabilities aged under 65, and more than two million persons with disabilities over 65, live in institutions in the EU2. Despite progress achieved, Member States are at different stages in developing conditions for independent living. **Also, people with disabilities outside of institutions often cannot live independently as all barriers producing exclusion persist. As a result,** many persons with disabilities still face barriers to fully exercising their right to choose and have control over decisions concerning their lives, including where, how and with whom they live. There is therefore a need for renewed efforts at both the EU and national level, to promote the full enjoyment by persons with disabilities of their right to live in the community on an equal basis with others. **The 18 pillars of Independent Living as developed by the Independent Living Movement, need to be implemented.[[2]](#footnote-2)** |
| Amendment 4  Paragraph 6 (new) | |
| Text proposed by the EU Council  The adequate provision of person-centred community support services such as personal assistance, supported decision making and support networks, is essential for the full inclusion of persons with disabilities in the community. Also needed are measures to tackle persistent barriers that hinder access to community services and facilities for the general population, including to non-segregated places of residence. | Amendments proposed by ENIL  The adequate provision of person-centred community support services such as personal assistance, supported decision making and support networks, is essential for the full inclusion of persons with disabilities in the community. **Personal budgets are and effective tool to enable access to personal assistance and other services. There is a need for effective personal budget schemes which are available to all people with disabilities limited in exercising choice and control due to environmental and societal barriers. Residents of institutions need to be actively supported in applying. Recipients must be able to purchase personal assistances and other services aligned with the 18 Pillars on Independent Living. Budgets must be high enough to pay for all charges and recipients should have the option of becoming employees. Personal budgets must not be used to fund placements in institutions. Centres for Independent Living and Personal Assistance User Cooperatives should receive funding to support recipients with completing administrative requirements.** Also needed are measures to tackle persistent barriers that hinder access to community services and facilities for the general population, including to non-segregated places of residence. |
| Amendment 5  Paragraph 7 (new) | |
| Text proposed by the EU Council | Amendments proposed by ENIL  **EU funding is still not adequately used to finance Independent Living services. During the next funding period resources used for disability should be used to focus on the development on those services.** |
| Amendment 6  Paragraph 9 (new) | |
| Text proposed by the EU Council | Text proposed by ENIL  **The disability employment gap, the disability education gap, deprivation of legal capacity, discrimination, lack of access to housing and social protection and higher poverty rates, increase the likelihood of institutionalisation and represent significant barriers to Independent Living. Funding supported employment measures to support individual companies in employing persons with disabilities is allowed under the General Block Exemption Regulation. Increased investments in supported employment have strong potential to reduce the disability employment gap. Improved dialogue between all stakeholders can help to make education inclusive and expand access to supported decision-making.** |
| Amendment 7  Paragraph 12 (new) | |
|  | Text proposed by ENIL  **The UN CRPD calls for the close consultation and involvement of persons with disabilities and their representative organisations in all policy making. Providing representative organisations with financial support to contribute to policy work is a precondition for their involvement.** |
| Amendment 8  Paragraph 13 (new) | |
| Text proposed by the EU Council  Develop measures for the promotion of independent living of persons with disabilities in line with the Strategy on the Rights of Persons with Disabilities 2021-2030, paying particular attention to fulfilling the obligations in the UNCRPD and in particular those set out in Article 19. | Text proposed by ENIL  Develop measures for the promotion of independent living of persons with disabilities in line with the Strategy on the Rights of Persons with Disabilities 2021-2030, paying particular attention to fulfilling the obligations in the UNCRPD and in particular those set out in Article 19 **and following General Comment No 5 and the Guidelines on Deinstitutionlisation, including in emergencies.** |
| Amendment 9  Paragraph 14 (new) | |
| Text proposed by the EU Council | Text proposed by ENIL  **Support the adoption of legally binding guidance at the EU-level, recognising the General Comments, Guidelines and Concluding Observations issues by the CRPD-Committee as authoritative** |
| Amendment 10  Paragraph 15 (new) | |
| Text proposed by the EU Council | Text proposed by ENIL  **Support the ratification of the Optional Protocol to the Convention by the EU.** |
| Amendment 11  Paragraph 16 (new) | |
| Text proposed by the EU Council | Text proposed by ENIL  **Support a review of all existing legislations and policies at the EU-level for compliance with the UN CRPD.** |
| Amendment 12  Paragraph 17 (new) | |
| Text proposed by the EU Council | Text proposed by ENIL  **Support a reform of the monitoring framework for the implementation of the UN CRPD.** |
| Amendment 13  Paragraph 18 (new) | |
| Text proposed by the EU Council  Support interventions to enable persons with disabilities to live independently in the community, including by ensuring the availability of places of residence and the support necessary to allow for independent living, while respecting individual choices and taking into account individual needs. | Text proposed by ENIL  Support interventions to enable persons with disabilities to live independently in the community, including by ensuring the availability of places of residence and the support necessary to allow for independent living, while respecting individual choices and taking into account individual needs. **Introduce and maintain all services foreseen in the 18 Pillars of Independent Living.** |
| Amendment 14  Paragraph 19 (new) | |
| Text proposed by the EU Council | Text proposed by ENIL  **Use EU funds to finance Independent Living Services. Support the establishment of an effective oversight mechanism to ensure EU funding is only used to finance services in line with the UN CRPD.** |
| Amendment 15  Paragraph 20 (new) | |
| Text proposed by the EU Council  Enhance consultation with and promote the active involvement of persons with disabilities in the development and implementation of actions and policies that concern them, including through their representative organisations. | Text proposed by ENIL  Enhance consultation with and promote the active involvement of persons with disabilities in the development and implementation of actions and policies that concern them, including through their representative organisations. **In this context, support the continued funding of policy work conducted by representative organisations of persons with disabilities both at the EU and the national level.** |
| Amendment 16  Paragraph 22 (new) | |
| Text proposed by the EU Council  Promote access to and affordability of person-centred support services, such as personal assistance, assistive technology, supported decision making and organised support systems (e.g. peer support, centres for independent living), and ensure that services available to the general population are also available, accessible, inclusive and adaptable for persons with disabilities. | Text proposed by ENIL  Promote access to and affordability of person-centred support services, such as personal assistance, assistive technology, supported decision making and organised support systems (e.g. peer support, centres for independent living), and ensure that services available to the general population are also available, accessible, inclusive and adaptable for persons with disabilities. **Introduce and maintain adequately funded personal budgets schemes at the national level which enable access to personal assistance and other services in line with the 18 Pillars of Independent Living. Coordinate with other Member States at the EU-level to ensure a minimum level of standards EU-wide. Fund Centres of Independent Living.** |
| Amendment 17  Paragraph 23 (new) | |
| Text proposed by the EU Council | Text proposed by ENIL  **Make use of the permission foreseen in the General Block Exemption Regulation under articles 33 and 34(a-e) for the financial support of individual undertakings in employing persons with disabilities by providing wage support, costs for the adaptation of premises, costs for the purchase of equipment, assistance at work, transport and rehabilitation.** |
| Amendment 18  Paragraph 24 (new) | |
| Text proposed by the EU Council | Text proposed by ENIL  **Support stakeholder dialogues and good practice exchanges to stimulate reforms for more inclusive education systems and an improved access to supported decision-making.** |
| Amendment 19  Paragraph 25 (new) | |
| Text proposed by the EU Council | Text proposed by ENIL  **Introduce the right to housing in national legislation. Ensure all persons with disabilities have access to affordable and accessible housing.** |
| Amendment 20  Paragraph 26 (new) | |
| Text proposed by the EU Council | Text proposed by ENIL  **Reform social protection schemes, to ensure persons with disabilities residing in institutions receive active support in leaving and are recovered from day one of commencing life in the community. Ensure persons with disability covered by social protection and are excluded from work can have a life on a level equal to others.** |
| Amendment 21  Paragraph 27 (new) | |
| Text proposed by the EU Council | Text proposed by ENIL  **Adopt legislation banning discrimination on the grounds of disability when accessing social security, including social protection, education and goods and services, including housing at the national or the EU-level.** |
| Amendment 22  Paragraph 28 (new) | |
| Text proposed by the EU Council | Text proposed by ENIL  **Halt efforts to ratify the 2000 Hague Convention on the cross-border protection of vulnerable adults in the EU as called for by Concluding Observations of the Committee on the Rights of Persons with Disabilities.** |
| Amendment 23  Paragraph 32 (new) | |
| Text proposed by the EU Council  When preparing initiatives and actions, consult and actively involve relevant stakeholders, especially persons with disabilities and their respective organisations. | Text proposed by ENIL  When preparing initiatives and actions, consult and actively involve relevant stakeholders, especially persons with disabilities and their respective organisations. **Commit to the continued financial support which representative organisations of persons with disabilities require to be able to conduct policy work.** |
| Amendment 24  Paragraph 33 (new) | |
| Text proposed by the EU Council | Text proposed by ENIL  **Undertake a reform of the General Block Exemption, removing article 34(f) as called for by the Concluding Observations by the Committee on the Rights of Persons with Disabilities.** |
| Amendment 25  Paragraph 34 (new) | |
| Text proposed by the EU Council | Text proposed by ENIL  **Expand efforts in establishing coordination on the introduction of personal budget schemes, access to supported decision-making and educational reforms.** |

1. According to article 216(2) TFEU, agreements concluded by the Union are binding upon the institutions of the Union and on its Member States. [↑](#footnote-ref-1)
2. https://enil.eu/independent-living/ [↑](#footnote-ref-2)