



**Amendments of the European Network on Independent Living  
To the National and Regional Partnership Plans Regulation COM(2025) 565 final  
2025/0240 (COD)**

Technical title of the regulation: Proposal for a Regulation of the European Parliament and the Council establishing the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security for the period 2028-2034

[The European Network on Independent Living \(ENIL\)](#) is a disabled-led, cross-disability network of disabled people and their representative organisations. ENIL promotes the right to independent living, as set out in Article 19 of the UN Convention on the Rights of Persons with Disabilities (CRPD). ENIL's work is guided by the CRPD and the Independent Living principles, enshrined in the Independent Living Pillars. ENIL is active at the European level, and internationally, through cooperation with Centers for Independent Living from around the globe. ENIL's actions and activities are based on the social and the human rights models of disability, and on the principles of inclusive equality, self-determination, solidarity and intersectionality.

We wish to communicate our position on the National Partnership Plan-Regulation and propose amendments.

### **EU as a state party to the UN CRPD**

The purpose of the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD) "is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities".

In March 2007, the European Union signed the Convention. Council Decision of 26 November 2009 "concerning the conclusion, by the European Community, of the United Nations Convention on the Rights of Persons with Disabilities (2010/48/EC)" approved the UN CRPD on behalf of the EU. In December 2010, the European Commission deposited



the instrument of ratification with the Secretary-General of the United Nations, thereby completing the ratification process.<sup>1</sup>

For the first time in history, the EU became a party to an international human rights treaty. Being a state party to the UN CRPD entails the obligation “to adopt all appropriate legislative, administrative and other measures for the implementation of the rights recognised in the present Convention”.

According to article 216 of the Treaty on the Functioning of the European Union, “the Union may conclude an agreement with one or more third countries or international organisations”. “2. Agreements by the Union are binding upon the institutions of the Union and its Member States”. The UN CRP is thus part of the legal order of the EU.

Article 34 of the UN CRPD provides for the Committee on the Rights of Persons with Disabilities (CRPD Committee) which reviews the performance of state parties in implementing the Convention on a regular basis. To facilitate the interpretation of the Convention, the CRPD Committee issues General Comments and Guidelines. These documents are to be regarded as authoritative.

### **The UN CRPD and EU Funding**

The Multiannual Financial Framework is a key instrument whereby the EU can live up to its obligations under the UN CRPD, by funding projects which advance the access of disabled people to the rights expressed therein.

UN CRPD article 19 on Living independently and being included in the community states that “Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance”.<sup>2</sup>

General Comment No 5 on Independent Living and being included in the community specifies that Individualized support services must be considered a right rather than a

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<sup>1</sup> European Commission. EU ratifies UN Convention on disability rights. [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_11\\_4](https://ec.europa.eu/commission/presscorner/detail/en/ip_11_4)

<sup>2</sup> Article 19 on Living independently and being included in the community. <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-19-living-independently-and-being-included-in-the-community.html>



form of medical, social or charity care. “Funding for personal assistance must be provided on the basis of personalized criteria”.<sup>3</sup>

Institutions for persons with disabilities are not compatible with the Convention: To respect the rights of persons with disabilities under article 19 means that States parties need to phase out institutionalization. No new institutions may be built by States parties, nor may old institutions be renovated beyond the most urgent measures necessary to safeguard residents’ physical safety.

State parties are to replace disability services that segregate, by a range of “community support services, including personal assistance necessary to support living and inclusion in the community”.

The obligation to implement the UN CRPD, was reflected in the enabling condition on the Convention contained in Annex III of the Common Provisions Regulation. It stated that as a fulfilment condition a “national framework to ensure implementation of the UNCRPD is in place”.<sup>4</sup>

Despite these clear obligations, ENIL has documented large amounts of EU funding streams going into segregating services. Together with partners, 63 EU funded projects that promote segregation of persons with disabilities, migrants and the Roma were identified.<sup>5</sup>

In its Concluding Observations to the periodic report of the EU, the CRPD Committee reiterated the obligation stemming from articles 19 on Independent Living and 27 on work and employment not to fund services which do not bring real inclusion but segregate disabled people. For example, the Committee stated that the EU has to:

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<sup>3</sup> CRPD-Committee. General Comment No 5 on living independently and being included in the community. <https://docs.un.org/en/CRPD/C/GC/5>

<sup>4</sup> Common Provisions Regulation. [https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32021R1060#anx\\_III](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32021R1060#anx_III)

<sup>5</sup> FURI. How EU Funds violate fundamental rights. [https://www.bridge-eu.org/files/ugd/aba538\\_db7a34c6e30a447f8de9283ac4f70e0e.pdf](https://www.bridge-eu.org/files/ugd/aba538_db7a34c6e30a447f8de9283ac4f70e0e.pdf)



*“Ensure that no EU funding, including the Recovery and Resilience Facility and the Neighbourhood, Development and International Cooperation Instrument, is used for the construction or maintenance of institutional facilities, including small group homes, and shape the Multiannual Financial Framework accordingly;”<sup>6</sup>*

## **The EU Guidance on Independent Living and Inclusion in the Community**

In November 2024, the European Commission adopted the Commission Notice “Guidance on independent living and inclusion in the community of persons with disabilities in the context of EU funding.”<sup>7</sup> The notice seeks to provide practical guidance on the use of EU funding to promote the realisation of the right of persons with disabilities to independent living and inclusion in the community”.

It recommends investments in:

- Personal Assistance
- Personal Budgets
- Centres for independent living

## **The cost of discrimination**

A key objective of the Multiannual Financial Framework 2028-2035 is to make the EU more competitive. In this context, it is important to highlight that the still widespread discrimination against disabled people as well as the support systems which rely heavily on institutions and sheltered employment, produce significant economic costs.

The segregation of disabled people has increased. According to Eurofound, the number of disabled people confined to institutions has increased by 29% in the last decade.<sup>8</sup>

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<sup>6</sup> Committee on the Rights of Persons with Disabilities 2025. Concluding Observations to the combined second and third periodic report of the European Union: <https://digitallibrary.un.org/record/4080772?v=pdf>

<sup>7</sup> European Commission 2025. Commission adopts guidance on independent living for persons with disabilities [https://employment-social-affairs.ec.europa.eu/news/commission-adopts-guidance-independent-living-persons-disabilities-2024-11-20\\_en](https://employment-social-affairs.ec.europa.eu/news/commission-adopts-guidance-independent-living-persons-disabilities-2024-11-20_en)

<sup>8</sup> Eurofound 2024. Paths Towards Independent Living <https://www.eurofound.europa.eu/en/publications/all/paths-towards-independent-living-and-social-inclusion-europe>



Disabled people are excluded from work. Between 2010 and the disability employment gap has increased from 18,6% to 24,5%.<sup>9</sup>

Disabled people experience significantly higher poverty rates and are much more likely to be homeless. According to Eurostat, in 2024 28,8% were at risk of poverty, compared to 17.9% of non disabled people.<sup>10</sup>

There is a pronounced disability education gap. According to EU statistics, in 2022, 22,2% of 18-24 year olds “with activity limitations” were early leavers from education and training compared to 8,4% of their peers “without activity limitation”.<sup>11</sup> In 2024, 44,2% of people in the same age range “with a severe disability” were early leavers from education and training.<sup>12</sup>

Due to the high rates of institutionalisation, many countries spend high percentages of their national GDP of long-term care. The Netherlands are spending 4,4%, Sweden 3,4%, Denmark 3,2%. Across the OECD average, nursing homes are responsible for half the cost but in many EU countries the share is much higher.<sup>13</sup>

Being prevented from earning an income and trapped in poverty leads to a high dependency on the welfare state: In 2024, 68,2% of disabled people were at risk of poverty before social transfers and 20,7% after.<sup>14</sup>

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<sup>9</sup> ENIL 2025a. Advocacy Campaign for Inclusive Employment takes shape.

<https://enil.eu/advocacy-campaign-for-inclusive-employment-takes-shape/>

<sup>10</sup> Eurostat 2025b. Disability statistics - poverty and income inequalities. [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability\\_statistics\\_-\\_poverty\\_and\\_income\\_inequalities](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability_statistics_-_poverty_and_income_inequalities)

<sup>11</sup> European Parliament 2022. Understanding EU policies for people with disabilities. [https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698811/EPRS\\_BRI\(2021\)698811\\_EN.pdf#:~:text=People%20with%20disabilities%20still%20face%20significant%20barriers,4%20at%2021.5%20%25%20in%202023%20\(Eurostat\).](https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698811/EPRS_BRI(2021)698811_EN.pdf#:~:text=People%20with%20disabilities%20still%20face%20significant%20barriers,4%20at%2021.5%20%25%20in%202023%20(Eurostat).)

<sup>12</sup> Eurostat 2025a. Disability statistics - access to education and training. [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability\\_statistics\\_-\\_access\\_to\\_education\\_and\\_training#SE\\_MAIN\\_TT](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability_statistics_-_access_to_education_and_training#SE_MAIN_TT)

<sup>13</sup> OECD 2023a. Health at a Glance 2023. [https://www.oecd.org/en/publications/health-at-a-glance-2023\\_7a7afb35-en/full-report/long-term-care-spending-and-unit-costs\\_cc989a20.html?](https://www.oecd.org/en/publications/health-at-a-glance-2023_7a7afb35-en/full-report/long-term-care-spending-and-unit-costs_cc989a20.html?)

<sup>14</sup> Eurostat 2025b. Disability statistics - poverty and income inequalities. [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability\\_statistics\\_-\\_poverty\\_and\\_income\\_inequalities](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability_statistics_-_poverty_and_income_inequalities)



The OECD calculated €0.84–1.42 billion in annual GDP losses and €302–493 million in lost tax revenue EU-wide due to the discrimination against disabled people.<sup>15</sup>

## **Recommendations of the European Network on Independent Living**

Even with the Horizontal Enabling Condition of the Common Provisions Regulation, a conclusive redirection of EU funding from institutions into community-based services was not achieved.

We are concerned that the future National Regional Partnership Plan Regulation (NRP-R) will not provide the funding needed to improve the inclusion and equal treatment of disabled people. The current budgetary commitments and the new, policy-based steering mechanisms might lead to reduced funding.

To make progress with implementing the UN CRPD and reduce the costs of discrimination the European Network on Independent Living is strongly recommending changes to the NRP-R.

We are calling on the European Commission, the European Parliament and the national governments to:

- Ensure the MFF 2028-2035 provides adequate investments in the social inclusion and equal treatment of disabled people. We recommend an allocation of 20% of the envelope dedicated to the NRP-R, instead of 14%. The overall visibility of disability in the regulation should be improved.
- Make the implementation of the UN CRPD and the European Commission Notice Guidance on independent living and inclusion in the community of persons with disabilities a priority of the MFF 2028-2035, both politically and legally.
- Ensure a consistent redirection of funding from services that segregate into community-based services.

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<sup>15</sup> OECD 2025. Combatting Discrimination in the European Union. [https://www.oecd.org/en/publications/combating-discrimination-in-the-european-union\\_29c2c36a-en/full-report/the-effects-of-discrimination\\_9a789778.html#section-d1e6278-e93c935c30](https://www.oecd.org/en/publications/combating-discrimination-in-the-european-union_29c2c36a-en/full-report/the-effects-of-discrimination_9a789778.html#section-d1e6278-e93c935c30)



- To ensure that the new policy-based steering mechanisms work, Organisations of Persons with Disabilities (OPDs) should be given a co-production role during the programming, implementation and evaluation of EU funds.

To this end, we are recommending the following amendments to the NRP-R:

**Recital 6**

Text proposed by the European Commission	Amendment
<p>(6) Articles 9, 19 and 153 TFEU provide for a comprehensive framework on social inclusion, including combatting poverty and discrimination, as core objective of the Union. This aims at ensuring that all citizens have the opportunities and resources to fully participate in economic, social, and cultural life. This includes access to the labour market, equal access to facilities, services, and benefits, promoting a standard of living and well-being in line with the EU values.</p>	<p>(6) Articles 9, 19 and 153 TFEU provide for a comprehensive framework on social inclusion, including combatting poverty and discrimination, as core objective of the Union. This aims at ensuring that all citizens have the opportunities and resources to fully participate in economic, social, and cultural life. This includes access to the labour market, equal access to facilities, services, and benefits, <b>access to Independent Living for persons with disabilities</b>, promoting a standard of living and well-being in line with the EU values.</p>
<p>Explanation: Wherever possible references to persons with disabilities and their rights should be added to the regulation to increase the visibility of this key objective of EU policies in the area of equal treatment.</p>	

**Recital 16**



Text proposed by the European Commission	Amendments
<p>(16) In the area of the Union's defence capabilities and security, measures should reinforce the Union's defence industrial base and military mobility and strengthen the Unions' preparedness, threat detection, critical energy and transport infrastructure protection and resilience and crisis response, including by strengthening cybersecurity. This should include measures to develop the dual use TEN-T infrastructure in order to allow for largescale movements of troops and heavy equipment and material at short notice. Measures should also aim to ensure high level of security in the Union, including integration measures that are consistent with the objectives set out in Regulation (EU) [...] concerning Union support for asylum including subsidiary protection, temporary protection, migration and integration, Regulation (EU) [...] concerning Union support for European [integrated] border management, including functioning of the Schengen area and for European visa policy, and Regulation (EU) [...] Union support for internal security.</p>	<p>(16) In the area of the Union's defence capabilities and security, measures should reinforce the Union's defence industrial base and military mobility and strengthen the Unions' preparedness, <b>civil protection, including for marginalised groups</b>, threat detection, critical energy and transport infrastructure protection and resilience and crisis response, including by strengthening cybersecurity. This should include measures to develop the dual use TEN-T infrastructure in order to allow for largescale movements of troops and heavy equipment and material at short notice. Measures should also aim to ensure high level of security in the Union, including integration measures that are consistent with the objectives set out in Regulation (EU) [...] concerning Union support for asylum including subsidiary protection, temporary protection, migration and integration, Regulation (EU) [...] concerning Union support for European [integrated] border management, including functioning of the Schengen area and for European visa policy, and Regulation (EU) [...] Union support for internal security. <b>Measures include the development of an EU wide preparedness and civil protection infrastructure, accessible for persons with disabilities.</b></p>



Explanation: During the last years we have seen many crisis situations, caused by COVID-19, climate change or the war against Ukraine. We have been taught the lesson that the preparedness and civil protection measures are not designed with disabled people in mind, leading to a disproportionate number of victims. Improvements are urgently needed. Preparedness and civil protection measures need to be designed with disabled people in mind.

### Recital 17

Text proposed by the European Commission	Amendments
<p>(17) Measures supporting people and strengthening Union’s societies and the Union’s social model should contribute to the implementation of the European Pillar of Social Rights and achieving its headline targets, in accordance with the guidelines for employment referred to in Article 148(4) TFEU, by supporting projects in the policy areas of employment and labour mobility, skills development, education, social inclusion and poverty reduction, and therefore strengthening the Union’s resilience and competitiveness. They should aim to ensure equal opportunities, equal access to the labour market, fair and quality working condition, social protection and inclusion, in particular focusing on enhancing labour supply, ensuring quality and inclusive education and training, lifelong learning and material support for the most deprived, closing existing gaps, including gender</p>	<p>(17) Measures supporting people and strengthening Union’s societies and the Union’s social model should contribute to the implementation of the European Pillar of Social Rights and achieving its headline targets, in accordance with the guidelines for employment referred to in Article 148(4) TFEU, by supporting projects in the policy areas of employment and labour mobility, skills development, education, social inclusion, and poverty reduction, <b>including among persons with disabilities</b> and therefore strengthening the Union’s resilience and competitiveness. They should aim to ensure equal opportunities, equal access to the labour market, fair and quality working condition, social protection and inclusion and <b>Independent Living</b>, in particular focusing on enhancing labour supply, ensuring quality and inclusive education and training, lifelong learning and ma-</p>



<p>gaps. The measures should support investments in children and young people, marginalised and disadvantaged communities, third country nationals and should ensure equal access to services. They should also contribute to strengthening the resilience of the healthcare systems and long-term care services, support social and affordable housing and focus on achieving a socially fair transition towards climate neutrality, addressing the social impacts of the inclusion of greenhouse gas emissions from buildings and road transport within the scope of Directive 2003/87/EC of the European Parliament and of the Council.</p>	<p>terial support for the most deprived, closing existing gaps, including gender <b>and disability</b> gaps. The measures should support investments in children and young people, marginalised and disadvantaged Communities, <b>including persons with disabilities</b>, third country nationals and should ensure equal access to services. They also contribute to strengthening the resilience of the healthcare systems, long-term care services and <b>community-based services for persons with disabilities</b>, support social should and affordable housing and focus on achieving a socially fair transition towards climate neutrality, addressing the social impacts of the inclusion of greenhouse gas emissions from buildings and road transport within the scope of Directive 2003/87/EC of the European Parliament and of the Council.</p>
<p>Explanation: As outlined in the introduction, disabled people have a right to community-based services. The MFF needs to become an instrument that promotes the expansion of such services.</p>	

**Recital 27**

Text Proposed by the European Commission	Amendment
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(27) This Regulation should include strong safeguards to ensure that the Fund is implemented in a way that ensures respect with the rights, freedoms and principles set out in the Charter of Fundamental Rights of the European Union and of the principles of the rule of law as set out in Article 2(a) of Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council<sup>10</sup>. Therefore, as part of the validation process of their NRP Plans, Member States should provide assurance on the fulfilment of these two horizontal conditions, with an identification of potential deficiencies and remedial actions based, in particular, on the country-specific challenges identified in the context of the Rule of Law Report and European Semester, as well as infringement proceedings and judgments of the Court of Justice of the European Union. All Member States should be required to review their NRP Plans halfway through implementation, as part of the mid-term review, to address any new deficiencies identified, in particular, in the context of the latest Rule of Law Report. At any time during the implementation and following exchanges with the Member State concerned, there should be a possibility to block part or all of the payments made to a Member State if one or more of the Rule of Law and Charter horizontal conditions is not fulfilled. With due regard to the principle of proportionality, the determination of the non-fulfilment and identification of the specific measures concerned

(27) This Regulation should include strong safeguards to ensure that the Fund is implemented in a way that ensures respect with the rights, freedoms and principles set out in the Charter of Fundamental Rights of the European Union **and the United Nations Convention on the Rights of Persons with Disabilities** and of the principles of the rule of law as set out in Article 2(a) of Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council<sup>10</sup>. Therefore, as part of the validation process of their NRP Plans, Member States ~~should provide assurance~~ **be held accountable** on the fulfilment of these two horizontal conditions, **outlining plans of actions**, with an identification of **measures and** potential deficiencies and remedial actions based, in particular, on the **country reports and** country-specific challenges identified in the context of the Rule of Law Report and European Semester, as well as infringement proceedings and judgments of the Court of Justice of the European Union, **the EU Ombudsmann and Concluding Observations issued by the UN Committee on the Rights of Persons with Disabilities**. All Member States should be required to ~~review~~ **subject** their NRP Plans **to a review** halfway through implementation, as part of the mid-term review, to **assess progress with implementing plans of actions**, address any new deficiencies identified, in particular, in the context of the latest Rule of Law Report. At any



should take into account the actual or potential impact of the non-fulfilment on the sound financial management of the Union budget or on the financial interests of the Unions as well as the nature, duration, gravity and scope of the breach.

time during the implementation and following exchanges with the Member State concerned, there should be a possibility to block part or all of the payments made to a Member State if one or more of the Rule of Law, Charter **and UN CRPD** horizontal conditions is **are** not fulfilled. With due regard to the principle of proportionality, the determination of the non-fulfilment and identification of the specific measures concerned should take into account the actual or potential impact of the non-fulfilment on the sound financial management of the Union budget or on the financial interests of the Unions as well as the nature, duration, gravity and scope of the breach. **Organisations of persons with disabilities have to be given co-production powers in all decisions concerning persons with disabilities.**

Explanation: To highlight the importance of the Convention, there should be references to the UN CRPD throughout the document. Also, it is mentioned in recital 26 alongside the Charter of Fundamental Rights. Therefore, it should be referred to in all relevant passages throughout the entire document.

The UN CRPD gives representative organisations of persons with disabilities the right to co-produce all legislation that concerns disabled people. According to art. 4(3):

*“In the development and implementation of legislation and policies to implement the present Convention, and in other decision-making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.”*



General comment No. 7 (2018) on the participation of persons with disabilities, including children with disabilities, through their representative organizations, in the implementation and monitoring of the Convention outlines the role Disabled Peoples Organisations ought to play.

In their Concluding Observations, the Committee expressed concern that:

*“Various instruments for the participation of organizations of persons with disabilities are not representative of persons with disabilities in the European Union and are not fully informed and accessible, are not legally entrenched, and that the organizations’ views are not effectively considered;”*

*“The Committee recommends that the European Union establish new mechanisms for the close consultation and active involvement of persons with disabilities, including children with disabilities, through their representative organizations, and strengthen existing mechanisms in all areas of EU legislation, policy and programming”*

## Article 2 - General Objectives of the Fund - Paragraph 1b

(b) to support quality employment, education and skills and social inclusion in accordance with Part Three, Title XI and Title XVIII of Part Three of the TFEU (‘European Social Fund’) and to contribute to a socially fair transition towards climate neutrality in accordance with Article 91(1), point (d), Article 192(1) and Article 194(2) TFEU;

(b) to support quality employment, education and skills and social inclusion, **including Independent Living of persons with disabilities** in accordance with Part Three, Title XI and Title XVIII of Part Three of the TFEU (‘European Social Fund’) and to contribute to a socially fair transition towards climate neutrality in accordance with Article 91(1), point (d), Article 192(1) and Article 194(2) TFEU;

Explanation: Independent Living is defined as having full choice and control over where, with whom and how to live. As such it is a transversal right that requires all articles of the Convention to be implemented to be effective. By referring to Independent Living



one can thus refer to all rights in the Convention. It is an efficient way to promote the equal treatment of disabled people.

### Article 3 - Specific objectives of the Fund - Paragraph 1,a,vii

Text proposed by the European Commission	Amendments
<p>1. The general objectives referred to in Article 2 shall be pursued across all regions through the following specific objectives:</p> <p>(a) to support the Union’s sustainable prosperity across all regions by:</p> <p>...</p> <p>(vii) supporting social and affordable housing;</p>	<p>1. The general objectives referred to in Article 2 shall be pursued across all regions through the following specific objectives:</p> <p>(a) to support the Union’s sustainable prosperity across all regions by:</p> <p>...</p> <p>(vii) supporting social and affordable housing, <b>which is accessible for persons with disabilities and follows universal design standards</b></p>
<p>Explanation: Disabled people are disproportionately affected by homelessness. In some EU member states a quarter of the homeless population report to have physical impairments.<sup>16</sup> A major survey among disabled people showed that housing is very often inaccessible.<sup>17</sup> To tackle the homelessness crisis, we need to tackle the inaccessibility problem.</p>	

<sup>16</sup> OECD 2021. A crisis on the horizon: Ensuring affordable, accessible housing for people with disabilities [https://www.oecd.org/content/dam/oecd/en/publications/reports/2021/09/a-crisis-on-the-horizon\\_f5739419/306e6993-en.pdf](https://www.oecd.org/content/dam/oecd/en/publications/reports/2021/09/a-crisis-on-the-horizon_f5739419/306e6993-en.pdf)

<sup>17</sup> ENIL Independent Living Survey. [https://enil.eu/wp-content/uploads/2025/05/Independent-Living-Survey-2024\\_WEB.pdf](https://enil.eu/wp-content/uploads/2025/05/Independent-Living-Survey-2024_WEB.pdf)



According to UN CRPD article 9, state parties have to ensure the accessibility of housing. According to article 28, state parties have to recognise the right of disabled people to housing and “(d) To ensure access by persons with disabilities to public housing programmes;”

To address the housing crisis and implement the UN CRPD, housing construction supported by the MFF needs to follow the universal design standard to ensure accessibility for persons with disabilities.

**Article 3 - Specific objectives of the Fund - Paragraph 1,c,iii**

Text proposed by the European Commission	Amendments
<p>(c) to strengthen social cohesion by supporting people and strengthening the Union’s societies and the Union’s social model by:</p> <p>(iii) promoting equal opportunities for all, supporting strong social safety nets, fostering social inclusion and fighting poverty and homelessness, and supporting investment in social infrastructure;</p>	<p>(c) to strengthen social cohesion by supporting people and strengthening the Union’s societies and the Union’s social model by:</p> <p>(iii) promoting equal opportunities for all, supporting strong social safety nets, fostering social inclusion and fighting poverty and homelessness, and supporting investment in social infrastructure; <b>promoting social inclusion and equal treatment of persons with disabilities by supporting investments in community-based services.</b></p>



**Article 3 - Specific objectives of the Fund - Paragraph 1,e,i**

Text proposed by the European Commission	Amendments
<p>(e) to protect and strengthen fundamental rights, democracy, the rule of law and to uphold Union values by:</p> <p>(i) sustaining and further developing open, rights-based, democratic, equal and inclusive societies, including by building civil society and social partners' capacities to uphold Union values, citizenship education and youth participation;</p>	<p>(e) to protect and strengthen fundamental rights, democracy, the rule of law and to uphold Union values by:</p> <p>(i) sustaining and further developing open, rights-based, democratic, equal and inclusive societies, including by building civil society and social partners' capacities to uphold Union values, <b>the commitment to fundamental human rights</b>, citizenship education and youth participation;</p>

**Article 6 – Partnership and multi-level governance – Paragraph 1 (c)**

Text proposed by the European Commission	Amendments
<p>1. For the NRP Plan and each chapter, and the Interreg Plan chapter as referred to in Chapter II of Regulation XX [Regional development, Interreg Plan], each Member State shall organise and implement a comprehensive partnership in accordance with its institutional and legal framework and taking into account the specificities of the chapters concerned. That partnership shall include a balanced representation of the following partners:</p>	<p>1. For the NRP Plan and each chapter, and the Interreg Plan chapter as referred to in Chapter II of Regulation XX [Regional development, Interreg Plan], each Member State shall organise and implement a comprehensive partnership in accordance with its institutional and legal framework and taking into account the specificities of the chapters concerned. That partnership shall include a balanced representation of the following partners:</p>



<p>(c) relevant bodies representing civil society, such as environmental partners, non governmental organisations, youth organisations, and bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, gender equality and non-discrimination, national human rights institutions and organisations;</p>	<p>(c) relevant bodies representing civil society, such as environmental partners, non governmental organisations, youth organisations, and bodies responsible for promoting social inclusion, fundamental rights, <del>rights of persons with disabilities</del> <b>organisations of persons with disabilities</b>, gender equality and non-discrimination, national human rights institutions and organisations;</p>
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**Article 6 Partnership and multi-level governance – Paragraph 2**

Text proposed by the European Commission	Amendments
<p>2. The partnership established in accordance with paragraph 1 shall operate in accordance with the multi-level governance principle and a bottom-up approach. The Member State shall involve partners referred to in each subparagraph of paragraph 1 in the preparation of the Plan and throughout the preparation, implementation and evaluation of chapters, including through participation in monitoring committees in accordance with Article 55.</p>	<p>2. The partnership established in accordance with paragraph 1 shall operate in accordance with the multi-level governance principle and a bottom-up approach. The Member State shall involve partners referred to in each subparagraph of paragraph 1 in the preparation of the Plan and throughout the preparation, implementation and evaluation of chapters, including through participation in monitoring committees in accordance with Article 55. <b>Organisations of persons with disabilities have to be given co-production powers in all decisions that concern theming persons with disabilities.</b></p>



**Article 7 - Horizontal principles - Paragraph 1**

Text proposed by the European Commission	Amendments
<p>1. Member States shall design the measures in the NRP Plan and Interreg Plan in a way that ensures respect of</p> <p>(a) the principles of the rule of law as set out in Article 2, point (a), and Article 3 of Regulation (EU, Euratom) 2020/2092;</p> <p>(b) the rights, freedoms and principles set out in the Charter of Fundamental Rights of the European Union.</p> <p>The Member States shall respect those rights, freedoms and principles throughout the preparation and implementation of their respective Plans.</p>	<p>1. Member States shall design the measures in the NRP Plan and Interreg Plan in a way that ensures respect of</p> <p>(a) the principles of the rule of law as set out in Article 2, point (a), and Article 3 of Regulation (EU, Euratom) 2020/2092;</p> <p>(b) the rights, freedoms and principles set out in the Charter of Fundamental Rights of the European Union.</p> <p><b>(c) the norms and principles set out in the United Nations Convention on the Rights of Persons with Disabilities</b></p> <p>The Member States shall respect those rights, freedoms and principles throughout the preparation and implementation of their respective Plans. <b>Those plans shall contain plans of actions to address policy priorities set at the EU-level and by their line with the UN CRPD.</b></p>



**Article 7 - Horizontal principles - Paragraph 2**

Text proposed by the European Commission	Amendment
<p>2. The Member States and the Commission shall take appropriate steps to prevent any discrimination based on gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, implementation, monitoring, reporting and evaluation of the Plans. In particular, accessibility for persons with disabilities shall be taken into account throughout the preparation and implementation of the Plans.</p>	<p>2. The Member States and the Commission shall take appropriate steps to prevent any discrimination based on gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, implementation, monitoring, reporting and evaluation of the Plans. In particular, <b>the promotion of Independent Living and inclusion in the community of and</b> accessibility for persons with disabilities shall be <del>taken into account</del> respected throughout the preparation and implementation of the Plans.</p>

**Article 8 Respect of the rights, freedoms and principles set out in the Charter of Fundamental Rights**

Text proposed by the European Commission	Amendments
<p style="text-align: center;"><i>Article 8</i> <i>Respect of the rights, freedoms and principles set out in the Charter of Fundamental Rights</i></p>	<p style="text-align: center;"><i>Article 8</i> <i>Respect of the rights, freedoms and principles set out in the Charter of Fundamental Rights and of the norms laid down in the United Nations Convention on the Rights of Persons with Disabilities</i></p>



<p>1. Member States shall put in place and maintain effective mechanisms to ensure compliance of the measures supported by their Plans and their implementation with the relevant provisions of the Charter of Fundamental Rights of the European Union throughout the implementation of the Fund ('Charter horizontal condition').</p> <p>They shall provide an assessment of those mechanisms, in accordance with Article 22(2), point (q) [requirements for the NRP Plan] and inform the Commission of any modification impacting the fulfilment of the Charter horizontal condition.</p>	<p>1. Member States shall put in place and maintain effective mechanisms to ensure compliance of the measures supported by their Plans and their implementation with the relevant provisions of the Charter of Fundamental Rights of the European Union <b>and of the United Nations Convention on the Rights of Persons with Disabilities</b> throughout the implementation of the Fund ('Charter horizontal condition').</p> <p>They shall provide an assessment of those mechanisms, in accordance with Article 22(2), point (q) [requirements for the NRP Plan] and inform the Commission of any modification impacting the fulfilment of the Charter horizontal condition.</p> <p><b>Organisations of persons with disabilities shall be given a co-production role in those assessments, whenever the measures concern them.</b></p>
<p>Explanation: The UN CRPD is being referred to in recital 26 alongside the Charter. Thus and since it is part of the EU legal order, it should be referred to throughout the entire text.</p>	

**Article 10 - Budget - Paragraph 5**

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5. At least 14 % of the financial envelope referred to in paragraph 2 and of the amount referred to in paragraph 4 shall be dedicated to meeting the Union's social objectives, calculated by using the coefficients referred to in Article 6(1) of Regulation (EU) [Performance Regulation]. The amount set out in paragraph 2, point (a) letter (ii), as well as the external assigned revenue from the Social Climate Fund, shall be excluded from the basis for the calculation of this minimum allocation.

5. At least ~~14%~~ **20%** of the financial envelope referred to in paragraph 2 and of the amount referred to in paragraph 4 shall be dedicated to meeting the Union's social, **equal treatment and fundamental rights objectives**, calculated by using the coefficients referred to in Article 6(1) of Regulation (EU) Performance Regulation]. The amount set out in paragraph 2, point (a) letter (ii), as well as the external assigned revenue from the Social Climate Fund, shall be excluded from the basis for the calculation of this minimum allocation. **At least 25% of the Union's social spending shall be allocated to social inclusion and improved service provision for persons with disabilities.**

Explanation: An allocation of 14% to social spending represents a financial envelope of EUR 100 billion. A coalition of 52 EU-wide non-governmental organisations has assessed that this allocation represents a reduction of funding in real terms once inflation is considered.<sup>18</sup> Compared to the current funding period, important earmarkings, such as the 25% minimum for social

Inclusion, the 5% for the Child Guarantee, and 3% for material deprivation measures have not been maintained. Thus, these important issues might receive less funding. Given the regression, particularly in the social inclusion and equal treatment of disabled people, reductions in funding are concerning. Since discrimination generates huge costs for society, any alleged savings will only increase expenses.

According to our coalition, 40% of the social spending target could go into infrastructure investments, meaning a strong reduction of funding for the operations of social services.

<sup>18</sup> EASPD et al. 100 billion Euros for social spending? The devil's in the details [https://easpd.eu/fileadmin/user\\_upload/Publications/JointStatement\\_The\\_Devil\\_s\\_in\\_the\\_Details\\_Final.pdf](https://easpd.eu/fileadmin/user_upload/Publications/JointStatement_The_Devil_s_in_the_Details_Final.pdf)



Given the urgent need, to expand access to personal assistance, this would be a dramatic step in the wrong direction.

As ENIL, we recommend to allocate at least 20% to social spending and earmark 25% of this allocation for social inclusion and improved service provision.

Many measures for the support of disadvantaged groups such disabled people, women or people in the LGBTQIA+ spectrum should be considered measures of equal treatment and fundamental rights rather than social policy. To ensure the EU's legal obligations and policies in those areas will be implemented, a budget should be earmarked.

**Article 21 – Preparation and submission of the Plan – Paragraph 2**

Text proposed by the European Commission	Amendment
<p>2. Each Member State shall prepare and implement the Plan in partnership with partners as set out in Article 6 [Partnership], including regional and local authorities, and in accordance with their institutional, legal and financial framework. The Plan shall include national, sectoral and, where relevant, regional and territorial chapters.</p>	<p>2. Each Member State shall prepare and implement the Plan in partnership with partners as set out in Article 6 [Partnership], including regional <del>and</del>, local authorities <b>and organisations of persons with disabilities</b> and in accordance with their institutional, legal and financial framework. The Plan shall include national, sectoral and, where relevant, regional and territorial chapters.</p>

**Article 22 – Requirements for the NRP Plan – 2, b, i**

Text proposed by the European Commission	Amendment
<p>2. The NRP Plan shall:</p>	<p>2. The NRP Plan shall:</p>



<p>...</p> <p>(b) effectively address all or a significant subset of challenges identified:</p> <p>(i) in the context of the European Semester, in particular in the relevant country-specific recommendations addressed to the Member State, including those related to the European Pillar of Social Rights;</p>	<p>...</p> <p>(b) effectively address all or a significant sub-set of challenges identified:</p> <p>(i) in the context of the European Semester, in particular in the relevant <b>country reports and</b> country-specific recommendations addressed to the Member State, including those related to the European Pillar of Social Rights; <b>in the context of the Concluding Observations of the UN Committee on the Rights of Persons with Disabilities.</b></p>
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**Article 22 – Requirements for the NRP Plan – 2, (o)**

Text proposed by the European Commission	Amendment
<p>(o) provide a self-assessment of the compliance with the Charter horizontal condition referred to in Article 8 [Charter Article];</p>	<p><del>(o) provide a self-assessment of the compliance with the Charter horizontal condition referred to in Article 8 [Charter Article];</del></p> <p><b>Effectively contribute to the implementation of the European Union’s laws and policies in the areas of equal treatment, fundamental rights as laid down in the EU Charter on Fundamental Rights, the Strategy on the Rights of Persons with Disabilities and the Commission Notice on the Guidance to Member States on Independent Living and Inclusion in the community. Effectively contribute to the implementation</b></p>



	<p><b>of policy obligations stemming from the United Nations Convention on the Rights of Persons with Disabilities as outlined in the General Comments, Guidelines and Concluding Observations of the UN Committee on the Rights of persons with Disabilities.</b></p> <p><b>Subject the measures laid down in the NRP Plan to a review by a national human rights institution or an equality body. National human rights bodies, need to follow the Paris Principles</b></p>
<p>Explanation: The proposed paragraph would be dramatically insufficient to ensure the MFF contributes to the implementation of the EU's policies in the area of equal treatment and fundamental rights, as it relies on self-assessment. It also shows a lack of self-confidence. The EU should actively defend the implementation of laws and policies it has adopted. Independent review is important to ensure accountability. If the Member States do good work, there is nothing to fear.</p> <p>The Paris Principles were adopted by the UN General Assembly in 1993 and set standards for Human Rights Bodies. Under the Paris Principles Human Rights Bodies have to operate according to the following standards:<sup>19</sup></p> <p>The Paris Principles set out the main criteria that NHRIs are required to meet:</p> <ul style="list-style-type: none"><li>• Establishment under primary law or the Constitution</li><li>• A broad mandate to promote and protect human rights</li><li>• Formal and functional independence</li><li>• Pluralism, representing all aspects of society</li><li>• Adequate resources and financial autonomy</li><li>• Freedom to address any human rights issue arising</li><li>• Annual reporting on the national human rights situation</li><li>• Cooperation with national and international actors, including civil society</li></ul>	

<sup>19</sup> European Network of National Human Rights Institutions <https://ennhri.org/about-nhris/un-paris-principles-and-accreditation/>



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**Article 22 – Requirements for the NRP Plan – 2, (q)**

Text proposed by the European Commission	Amendment
<p>(q) ensure that the NRP Plan contributes to the Union’s social objectives. At least 14% of the total Union contribution and loans shall be dedicated to meeting these objectives, calculated by using the coefficients referred to in Article 6(1) of Regulation (EU) .../... [Performance Regulation]. The amount set out in Article 10(2), point (a) (ii), as well as externally assigned revenue from the Social Climate Fund shall be excluded from the basis for the calculation of this minimum allocation.</p>	<p>(q) ensure that the NRP Plan contributes to the Union’s social, <b>equal treatment and fundamental rights</b> objectives. At least <del>14%</del> <b>20%</b> of the total Union contribution and loans shall be dedicated to meeting these objectives, calculated by using the coefficients referred to in Article 6(1) of Regulation (EU) .../... [Performance Regulation]. The amount set out in Article 10(2), point (a) (ii), as well as externally assigned revenue from the Social Climate Fund shall be excluded from the basis for the calculation of this minimum allocation.</p>

**Article 23 – Commission proposal and Council implementing decision**

Text proposed by the European Commission	Amendments
<p>1. The Commission shall assess the Plan or the amended Plan submitted by the Member State and its compliance with this Regulation within four months of its submission and make a proposal for a Council implementing decision. When</p>	<p>1. The Commission shall assess the Plan or the amended Plan submitted by the Member State and its compliance with this Regulation within four months of its submission and make a proposal for a Council implementing decision. When</p>



<p>carrying out the assessment, the Commission shall ensure that the NRP Plan complies with all requirements laid down in this Regulation, in particular in Article 22.</p>	<p>carrying out the assessment, the Commission shall ensure that the NRP Plan complies with all requirements laid down in this Regulation, in particular in Article 22. <b>There shall be an independent review mechanism. Where there is evidence of breaches of the EU Fundamental Rights Charter or the United Nations Convention on the Rights of Persons with Disabilities, an independent review of the NRP Plan shall take place. The implementation of findings shall be compulsory.</b></p>
<p>Explanation: There is no reason to fear independent review. Accountability improves the functioning of governance. In the current MFF, existing complaints procedures have proven inefficient. In 2022, the EU Ombudsman ruled that monitoring and enforcement of rules guiding the use of EU funding on disability and Independent Living have to be improved.<sup>20</sup> So far, this decision remains unimplemented. The new MFF represents an excellent opportunity to do this.</p>	

## Chapter II – International Obligations – Article 41 (new)

Text proposed by the European Commission	Amendment
	<p style="text-align: center;"><b>Article 41</b></p> <p style="text-align: center;"><b>United Nations Convention on the Rights of Persons with Disabilities</b></p>

<sup>20</sup> EU Ombudsman. Decision on the own initiative inquiry <https://www.ombudsman.europa.eu/en/decision/en/155353>



	<ol style="list-style-type: none"> <li>1. Member states shall design measures concerning the social inclusion, equal treatment and fundamental rights of persons with disabilities according to the articles of the UN CRPD and the General Comments, Guidelines and Concluding Observations issued by the CRPD Committee.</li> <li>2. No public or private funds shall be spent on maintaining, renovating, establishing, building or creating any form of institution or institutionalisation.</li> <li>3. Funds shall be spent on community-based services such as personal assistance, personal budgets or Centres for Independent Living, as described in the General Comments and the European Commission Guidance to Member States on Independent Living and inclusion in the community.</li> </ol>
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Explanation: The NRP-R contains a chapter specifically dedicated to international obligations under the WTO. It is not clear why there is no chapter on the UN CRPD consider that the EU and all Member States are parties to the treaty.

**Article 87 – Exercise of delegation – Paragraph 5**

Text proposed by the European Commission	Amendment



<p>5. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.</p>	<p>5. Before adopting a delegated act, the Commission shall consult experts designated by each Member State, <b>and in matters concerning persons with disabilities, disabled people’s organisations shall be meaningfully involved</b>, in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.</p>
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**Article 88 – Committee procedure – Paragraph 1**

Text proposed by the European Commission	Amendments
<p>1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.</p>	<p>1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011. <b>Organisations of persons with disabilities shall be invited to join the committee.</b></p>

**About the European Network on Independent Living**

The European Network on Independent Living (ENIL) is a disabled-led, cross-disability network of disabled people and their representative organisations. ENIL promotes the right to independent living, as set out in Article 19 of the UN Convention on the Rights of Persons with Disabilities (CRPD), its General Comments and the Guidelines on deinstitutionalisation, including in emergencies. ENIL’s work is guided by the CRPD and the Independent Living principles, enshrined in the Independent Living Pillars. ENIL is active at the European level, and internationally, through cooperation with Centres for Independent Living from around the



globe. ENIL's actions and activities are based on the social and the human rights models of disability, and on the principles of inclusive equality, self-determination, solidarity and intersectionality.

ENIL has participatory status with the Council of Europe (i.e. is a member of the Conference of INGOs) and consultative status with ECOSOC.

### **Contact us**

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