



## Amendments of the European Network on Independent Living

to the Proposal for Regulation of the European Parliament and of the Council establishing a budget expenditure tracking and performance framework and other horizontal rules for the Union programmes and activities

COM(2025) 545 final, 2025/05454 (COD)

[The European Network on Independent Living \(ENIL\)](#) is a disabled-led, cross-disability network of disabled people and their representative organisations. 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 budget expenditure tracking and performance framework and other horizontal rules for the Union programmes and activities and propose amendments.

### **The Equal Treatment of persons with disabilities as a core objective of the European Union**

European Union primary and secondary law define the equal treatment and social inclusion of persons with disabilities as a core objective.

According to article 21 of the EU Charter of Fundamental Rights discrimination on the ground of disability is prohibited. According to article 26, the Union recognises and respects the right of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community.



## **Being 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. 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”.

The UN CRPD is binding on the European Union, its institutions and its member states. The UN CRPD is part of the EUs’ legal order.

Article 34 of the UN CRPD installs the Committee on the Rights of Persons with Disabilities (CRPD-Committee) which adopts recommendations on how to interpret and implement the Convention. The recommendations of the CRPD-Committee are to be regarded as authoritative.

## **Policy objectives derived from the UN CRPD**

UN CRPD article 19 grants persons with disabilities the right of choices equal to others and full inclusion and participation in the community. General Comment no 5 issued by the CRPD-Committee explains that article 19 obliges state parties to replace institutions with community-based services, most importantly personal assistance and that article 19 relates to all articles in the Convention. To implement article 19, the entire UN CRPD has to be implemented.

UN CRPD article 12 grants persons with disabilities the right to full legal capacity on a level equal to others which involves access to supported decision-making. Article 27 grants the right to employment in the regular labour market. Articles 9 and 28 grant the right to accessible and affordable housing.



Article 31 on “Statistics and data collection” obliges state parties 1. “to collect appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the present Convention.” 2. “The information collected in accordance with this article shall be disaggregated ... and used to help assess the implementation of States Parties’ obligations under the present Convention and to identify and address the barriers faced by persons with disabilities in exercising their rights.”

The UN CRPD entails the following policy obligations:

1. Replace institutions with community-based services, most importantly personal assistance.
2. Provide community-based services
3. Provide access to supported decision-making
4. Provide access to employment in the open labour market
5. Provide access to affordable and accessible housing
6. Collect statistics and data to monitor the implementation of the Convention

Institutions can be nursing homes or social care institutions. Institutions are defined by criteria like the obligatory sharing of assistants with others and no or limited influence as to who provides the assistance; isolation and segregation from independent life in the community; lack of control over day-to-day decisions.

Personal assistance is a needs-based one-on-one support that provides far more flexibility and user focus than a homecare service.

Full definitions were established by General Comment No 5<sup>1</sup> and the Guidelines on Deinstitutionalisation, including in emergencies, adopted by the CRPD-Committee.<sup>2</sup>

---

<sup>1</sup> General Comment No 5 on living independently and being included in the community: <https://digitallibrary.un.org/record/1311739?v=pdf>

<sup>2</sup> Guidelines on Deinstitutionalisation, including in emergencies: <https://www.ohchr.org/en/documents/legal-standards-and-guidelines/crpd5-guidelines-deinstitutionalization-including>



## **The European Strategy on the Rights of Persons with Disabilities**

“This Strategy aims to improve the lives of persons with disabilities in the coming decade, in the EU and beyond. The objectives of this Strategy can only be reached through coordinated action at both national and EU level, with a strong commitment from Member States and regional and local authorities to deliver on the actions proposed by the Commission.”

## **The European Commission 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>3</sup>

The notice establishes key European Union policy priorities in the area of Independent Living:

1. The expansion of person-centred services

The Guidance confirms that “adjusting the landscape of available services and support for persons with disabilities, person-centred approaches for independent living are a priority”. Personal assistance is confirmed as an enabler of Independent Living and inclusion of persons with disabilities.

2. Access to housing

According to the Guidance, Independent living and deinstitutionalisation imply access to adequate, affordable, non-segregated and accessible housing.

---

<sup>3</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)



### 3. Access to the open labour market

According to the Guidance, “the creation or development of labour market opportunities for persons with disabilities is essential for independent living.” “The development of open labour market possibilities requires investing in, among others, work trainers, reasonable accommodation and workspace arrangements and training for co-workers.”

Those measures are referred to under the term supported employment. A more extensive definition is provided in the European Commission study on Alternative Employment Models.

## **Recommendation of the European Network on Independent Living:**

**Track the budgetary allocations and performance in the area of disability equality!**

The evidence gathered shows that the equal treatment of persons with disabilities is a core priority of EU policy making. The proposal for a Budgetary Tracking and Performance Framework in its current states neglects this central role in EU primary and secondary law because no budgetary and performance tracking for disability equality is foreseen.

**We are urging the National Governments and the European Parliament to amend the regulation and introduce disability equality indicators.**

To this end, we are recommending the following amendments to the Budget Expenditure Tracking and Performance Framework Regulation:



## Recital 1

Text proposed by the European Commission	Amendment
<p>This Regulation aims to lay down the elements for both an expenditure tracking and a performance framework applicable to the implementation of expenditure appropriate to each method of implementation and complementing the rules of Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (the ‘budget’) as part of the financial rules within the meaning of Article 322(1), point (a), of the Treaty on the Functioning of the European Union (TFEU). In particular, rules should be established on monitoring of budget spending, on monitoring and reporting on the performance of Union programmes and activities, as well as rules on evaluation of the programmes and activities. This Regulation also aims to set out common rules to ensure a uniform application of the ‘do no significant harm’ and gender equality principles; as well as other common rules applicable across the budget such as those for establishing a Single Gateway, and rules on information, communication and visibility. The Commission may put in place additional elements for monitoring and reporting, including relevant indicators, for the purpose of measuring the impact of Union policies and actions more widely.</p>	<p>This Regulation aims to lay down the elements for both an expenditure tracking and a performance framework applicable to the implementation of expenditure appropriate to each method of implementation and complementing the rules of Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union (the ‘budget’) as part of the financial rules within the meaning of Article 322(1), point (a), of the Treaty on the Functioning of the European Union (TFEU). In particular, rules should be established on monitoring of budget spending, on monitoring and reporting on the performance of Union programmes and activities, as well as rules on evaluation of the programmes and activities. This Regulation also aims to set out common rules to ensure a uniform application of the ‘do no significant harm’, <b>and gender and disability equality</b> principles; as well as other common rules applicable across the budget such as those for establishing a Single Gateway, and rules on information, communication and visibility. The Commission may put in place additional elements for monitoring and reporting, including relevant indicators, for the purpose of measuring the impact of Union policies and actions more widely.</p>



planation: The European Union is a community of values, committed to respecting the principles laid down in the Charter of Fundamental Rights. Therefore, ENIL welcomes the reference to the principles of “do no harm” and gender equality. Disabled people are strongly affected by societal discrimination. Therefore, it is essential to include a reference to disability equality.

## Recital 7

Text proposed by the European Commission	Amendments
<p>(7) On 17 November 2017, the European Pillar of Social Rights was jointly proclaimed by the European Parliament, the Council and the Commission as a response to social challenges in Europe and to ensure no one is left behind. A system should be put in place to ensure a systematic and transparent monitoring of the contribution from the budget towards those social objectives within the Union. It is important in particular to promote social rights and fair working and labour conditions, in line with the European Pillar of Social Rights and in accordance with Article 9 TFEU and Article 33(2), point (e), of Regulation (EU, Euratom) 2024/2509, which lays down the requirement for programmes and activities to be implemented, where feasible and appropriate, respecting working and employment conditions under applicable national law, Union law, International Labour Organization conventions</p>	<p>(7) On 17 November 2017, the European Pillar of Social Rights was jointly proclaimed by the European Parliament, the Council and the Commission as a response to social challenges in Europe and to ensure no one is left behind. A system should be put in place to ensure a systematic and transparent monitoring of the contribution from the budget towards those social objectives within the Union. It is important in particular to promote social rights and fair working and labour conditions, <b>the inclusion of persons with disabilities and housing and housing assistance for the homeless</b> in line with the European Pillar of Social Rights and in accordance with Article 9 TFEU and Article 33(2), point (e), of Regulation (EU, Euratom) 2024/2509, which lays down the requirement for programmes and activities to be implemented, where feasible and appropriate, respecting working and employment conditions under applicable national</p>



and collective agreements.	law, Union law, International Labour Organization conventions and collective agreements.
Explanation: ENIL welcomes the prioritisation of fair working and labour conditions. To leave no-one behind, the EU budget should also be used to improve the inclusion of persons with disabilities and access to housing.	

## Recital 10

Text proposed by the European Commission	Amendments
<p>(10) The Charter of Fundamental Rights of the European Union prohibits discrimination on the grounds of disability and guarantees the right of persons with disabilities to independence, social and occupational integration, and participation in community life. Moreover, the Union is party to the UN Convention on the Rights of Persons with Disabilities, which requires that the protection and promotion of the human rights of persons with disabilities is taken into account in all policies and programmes. The budget should therefore ensure the effective promotion of the rights of persons with disabilities and their equal opportunities as well as aim to remove any inequalities, where feasible and appropriate. In particular, programmes and activities should aim to ensure accessibility for persons with disabilities in all infrastructures, products and</p>	<p>(10) The Charter of Fundamental Rights of the European Union prohibits discrimination on the grounds of disability and guarantees the right of persons with disabilities to independence, social and occupational integration, and participation in community life. Moreover, the Union is party to the UN Convention on the Rights of Persons with Disabilities, which requires that the protection and promotion of the human rights of persons with disabilities is taken into account in all policies and programmes, <b>to take all appropriate measures to eliminate discrimination on the basis of disability and to ensure persons with disabilities live independently and are included in the community.</b> The budget should therefore ensure the effective promotion of the rights of persons with disabilities and their equal opportunities as well</p>



services, including in the built environment, in transport and in information and communication also concerning information and communication technologies. They should also aim to support independent living and promote the transition from residential or institutional care to family and community-based services and support.

as aim to remove any inequalities, ~~where feasible and appropriate~~. In particular, programmes and activities should aim to ensure accessibility for persons with disabilities in all infrastructures, products and services, including in the built environment, in transport and in information and communication also concerning information and communication technologies. They should also aim to support independent living, promote the transition from residential or institutional care to family and community-based services and support **and ensure the support needs of all persons with disabilities are met. The budget should fund the services in line with the Commission Notice C(2024) 7897 final, in particular deinstitutionalisation projects, projects to improve the provision of community-based services, personal budgets and personal budget schemes and Centres for Independent Living.**

**Programmes and activities should support access to affordable and accessible housing in the community, aim to reduce the disability employment gap by funding supported employment, increase the beneficiaries of supported decision-making and provide funding for persons with disabilities affected by crisis situations within and outside the EU.**



## Recital 16

Text proposed by the European Commission	Amendments
<p>(16) Regulation (EU, Euratom) 2024/2509 refers to the need to track the Union budget spending contributing to gender equality, as well as spending on climate change mitigation and adaptation and on the protection of biodiversity. Expenditures contributing to climate mitigation, climate change adaptation, and biodiversity also need to be tracked to meet the reporting requirements of the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity. A standardised system for classifying activities funded under the budget, which should facilitate the tracking of policies and the aggregation of the contribution from each activity or programme more efficiently, should be put in place.</p>	<p>(16) Regulation (EU, Euratom) 2024/2509 refers to the need to track the Union budget spending contributing to gender equality, as well as spending on climate change mitigation and adaptation and on the protection of biodiversity. Expenditures contributing to climate mitigation, climate change adaptation, and biodiversity also need to be tracked to meet the reporting requirements of the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity. <b>Expenditures on disability equality need to be tracked to meet the reporting requirements under the United Nations Convention on the Rights of Persons with Disabilities.</b> A standardised system for classifying activities funded under the budget, which should facilitate the tracking of policies and the aggregation of the contribution from each activity or programme more efficiently, should be put in place. <b>A continuous performance tracking in the area of disability equality needs to be established. Performance indicators</b></p>



	<b>measuring progress in the implementation of the UN CRPD need to be used.</b>
--	---

Explanation: It is essential for the EU to respect its international obligations, stemming from UN treaties, like the Framework Convention on Climate Change and the Convention on Biological Diversity.

As mentioned, the EU is a state party to the United Nations Convention on the Rights of Persons with Disabilities. 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 [her mission letter](#) to the Commissioner for Equality, Hadja Lahbib, President von der Leyen named the implementation of the UN CRPD a priority.

To meet these obligations, we urge the addition of a requirement to track the Union budget spending on disability equality.

The EU is currently not fully fulfilling its obligation under the UN CRPD to provide appropriate data. To date, we don't have regular data collection on:

- EU Funds going into institutions
- EU Funds going into deinstitutionalisation projects
- EU Funds going into personal assistance projects
- EU Funds going into personal budgets
- EU Funds going into Centres for Independent Living
- EU Funds going into housing that is affordable and accessible for persons with disabilities
- EU Funds going into supported employment
- EU Funds going into supported decision-making
- The number of disabled people in institutions
- The number of personal budget and personal assistance holders
- The number of disabled people deprived of their legal capacity or benefitting from supported decision-making
- The exclusion from access to housing
- The amount of (in)accessible housing



--

## Article 1 - Subject matter - Paragraph 2

Text proposed by the European Commission	Amendment
<p>2. This Regulation also establishes rules for ensuring a uniform application of the principles of ‘do no significant harm’ and gender equality referred to in Article 33(2), points (d) and (f) of Regulation (EU, Euratom) 2024/2509 respectively, where feasible and appropriate, in line with the principles of economy, efficiency and effectiveness as set out in Article 33(1) of that Regulation, as well as other horizontal principles regarding working and employment conditions and climate and biodiversity. It also establishes horizontal provisions applicable to all Union programmes and activities, such as rules for establishing a Single Gateway referred to in Article 12 of this Regulation, and rules on information, communication and visibility.</p>	<p>2. This Regulation also establishes rules for ensuring a uniform application of the principles of ‘do no significant harm’ and gender equality referred to in Article 33(2), points (d) and (f) of Regulation (EU, Euratom) 2024/2509 respectively, where feasible and appropriate, in line with the principles of economy, efficiency and effectiveness as set out in Article 33(1) of that Regulation, as well as other horizontal principles regarding working and employment conditions <del>and</del>, climate and biodiversity <b>and disability equality</b>. It also establishes horizontal provisions applicable to all Union programmes and activities, such as rules for establishing a Single Gateway referred to in Article 12 of this Regulation, and rules on information, communication and visibility.</p>



## Article 8 (new) - Disability Equality

Text proposed by the European Commission	Amendments
	<p data-bbox="824 884 1104 982"><b>Article 8</b> <b>Disability Equality</b></p> <p data-bbox="824 1073 1424 1318"><b>1. The contribution from the budget to disability equality within the Union shall be monitored by means of the budget expenditure tracking and performance framework laid down in Article 8, including by means of EU coefficients.</b></p> <p data-bbox="824 1346 1424 1591"><b>All programmes and activities shall pay particular attention to ensuring representation of persons with disabilities in evaluation panels and other relevant advisory bodies such as boards, expert groups and monitoring committees.</b></p> <p data-bbox="824 1682 1424 1885">2. Programmes and activities shall, where feasible and appropriate in accordance with the relevant sector-specific rules, be implemented to achieve their set objectives respecting <b>the EU Fundamental</b></p>



	<p><b>Rights Charter, the UN CRPD and Commission C(2024) 7897 final.</b></p> <p><b>The framework shall both track services in line and not in line with the EU Fundamental Rights Charter, the UN CRPD and Commission C(2024) 7897 final.</b></p>
--	---

## Article 10 - Evaluations by the Commission

Text proposed by the European Commission	Amendments
<p>1. The Commission shall carry out evaluations in accordance with Article 34(3) of Regulation (EU, Euratom) 2024/2059 to examine the effectiveness, efficiency, relevance, coherence and Union added value of each programme or activity. In relation to the common agricultural policy, such evaluations shall also cover measures implemented in accordance with Regulation (EU) No 1308/2013.</p>	<p>1. The Commission shall carry out evaluations in accordance with Article 34(3) of Regulation (EU, Euratom) 2024/2059 to examine the effectiveness, efficiency, relevance, coherence and Union added value of each programme or activity. In relation to the common agricultural policy, such evaluations shall also cover measures implemented in accordance with Regulation (EU) No 1308/2013. <b>In relation to disability equality, evaluations shall cover measures implemented in accordance with Commission Notice C(2024) 7897 final.</b></p>



## Article 11 - Evaluations under shared management - Paragraphs 1 and 5

Text proposed by the European Commission	Amendments
	<p>1. For Union budget implemented under shared management, Member States shall carry out evaluations related to criteria such as effectiveness, efficiency, relevance and coherence, with the aim of improving the quality of the design and implementation of the measures and to identify bottlenecks and ways to speed up their implementation. Evaluations may also cover other relevant criteria, such as inclusiveness, <b>disability equality</b>, visibility and European added value.</p> <p>5. Member States shall entrust evaluations to functionally independent experts. <b>If measures have a disability dimension, experts shall be sent from organisations of persons with disabilities.</b></p>



Article 13 - Implementation through plans by Member States or third countries – do no significant harm, and gender equality and disability equality - Paragraph 3, a and b

Text proposed by the European Commission	Amendments
	<p>3. Each Member State or third country shall provide a gender equality <b>and a disability equality</b> assessment for each activity in their plans as follows:</p> <p>(a) providing an explanation of how the activities in the plans are expected to contribute to gender equality or <b>disability equality</b>;</p> <p><b>(c) in case of disability equality using the methodology outlined in article 8</b></p>



## Amendments to Annex I - Intervention fields and indicators

Policy area (level 1)	Policy area (level 2)	#	Intervention field	CCM	CC A	EN V	SOC	Output indicator	Result indicator
Rights Equality and Justice	Disability		Support for Independent Living oriented policies				100%	Number of de-institutionalisation projects supported Number of community-based services projects supported Number of personal assistance projects supported Number of personal budget projects supported Number of Centre for Independent Living projects supported	Number of people that left and entered the institutional system Number of beneficiaries of community-based services Number of people that acquired and lost access to personal assistance Number of people that acquired and lost a personal budget Number of Centres for Independent Living
Rights Equality and Justice	Disability		Support for Legal Capacity				100%	Number of supported decision-making projects supported	Number of supported decision-making beneficiaries
Social	Employment and labour market		Access to the open labour market for persons				100%	Number of supported employment projects financed	Number of people that acquired permanent jobs in the open labour



			with disabilities through supported employment					market
Housing and infrastructure	Construction		Availability of accessible housing for persons with disabilities			100%	Number of accessible houses constructed	Number of persons with disabilities having access to accessible housing and lacking access to accessible housing
Housing and infrastructure	Social and affordable housing		Availability of accessible social housing for persons with disabilities				Number of accessible and inaccessible social houses constructed	Number of persons with disabilities having access to accessible social housing and lacking access to accessible social housing



## 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

European Network on Independent Living (ENIL)

6thFloor – Mundo J

Rue de l'Industrie 10

1000 Brussels

Belgium

E-mail: [secretariat@enil.eu](mailto:secretariat@enil.eu)

Website: [www.enil.eu](http://www.enil.eu)

Written by: Florian Sanden

© European Network on Independent Living, 2025



Co-funded by  
the European Union

*Co-funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Commission. Neither the European Union nor the granting authority can be held responsible for them.*



DRAFT