



For a just EU Multiannual Financial Framework (MFF)

Joint Amendments to the MFF regulations that ensure Independent Living, equal treatment and social inclusion of disabled people



PAIR-AIDANCE, SE FAIRE ENTENDRE, EDUCATION POLITIQUE ET LUTTES SOCIALES



Sounds of Autism
& At-Risk



Our organisations¹ are committed to the Independent Living, equal treatment and social inclusion of disabled people and cooperate together in the EUFunds4IndependentLiving Coalition.

The EU Multiannual Financial Framework 2028-2035 (MFF) will have a budget of EUR 1,98 billion. Thus, the MFF has the potential to make a chance either in favour or against the rights of disabled people.

As the EUFunds4IndependentLiving Coalition, we have analysed the regulations to the MFF 2028-2035 proposed by the European Commission. The following regulations are of particular importance to us:

1. The National Regional Partnership Plan Regulation creating the European Fund for economic, social and territorial cohesion, agriculture and rural, fisheries and maritime, prosperity and security
2. The regulation establishing a budget expenditure tracking and performance framework and other horizontal rules for the Union programmes and activities
3. The regulation establishing Global Europe

Our findings

Our analysis of the aforementioned regulations identified:

1. Rules that are unlikely to generate sufficient funding in favour of the rights of disabled people
2. An absence of indicators that allow us to monitor the direction and effects of funding

¹ The European Council of Autistic People has endorsed the Budgetary Tracking and Performance Framework

Our recommendations

We call on all parties involved to turn the MFF into an instrument to give disabled people the dignity they deserve and to ensure Independent Living, equal treatment and social inclusion.

We recommend in particular:

1. On the National Regional Partnership Plan Regulation

- a. Add provisions that oblige Member States to design partnership plans which contribute to the implementation of the Union`s legal obligations and policy objectives.

Those obligations and objectives have been defined in the EU Charter on Fundamental Rights (the Charter), the Treaty on the Functioning of the EU (TFEU), the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD) and the European Commission Guidance to Member States on Independent Living and inclusion in the Community (the Guidance).

We need investments in:

- Personal Assistance
- Personal Budgets
- Centres for Independent Living
- Supported employment
- Accessible housing
- Supported decision-making

- b. Add concrete financial commitments

10% of the amount earmarked for social spending, should be allocated to the implementation of the aforementioned objectives.

- c. Involve representative organisation of persons with disabilities in a co-production approach.

2. On the Budgetary Tracking and Performance Framework

EU policy making in the area of disability is suffering from a serious absence of data. Our organisations strongly support evidence-based policy making.

To ensure spending on disability is used efficiently and generates the intended effects we recommend to introduce indicators on:

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

3. To the Global Europe programme

- a. Add provisions which ensure that Global Europe contributes to the implementation of the of the Union`s legal obligations and policy objectives in the area of disability as defined in the Charter, the TFEU, the UN CRPD and the Guidance.

- b. Add provisions ensuring the programmes objectives in the area of gender equality include disabled women
- c. Add provisions which ensure the involvement of representative organisation of persons with disabilities in a co-production approach.

Our reasons

We urge compliance with our recommendations because:

1. Independent Living, equal treatment and social inclusion of disabled people are well defined objectives of European Union legislation and policy making. Without changes, we would disregard our own legal and policy objectives.
2. We are at a great risk to exacerbate the greatest challenges in the areas of social justice, economic competitiveness and sustainability of public finances we currently face.

1. Legal and policy objectives

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.

Article 19 TFEU grants the EU the competence to combat discrimination based on disability.

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”.

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.

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

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.”² 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”.

² 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

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.

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.

2. Societal challenges, competitiveness and public finances.

We share the objective of the Multiannual Financial Framework 2028-2035 is to make the EU more competitive. The current policies in the area of disability produce significant costs for our economy and our public finances.

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.³

³ 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 2023 the disability employment gap has increased from 18,6% to 24,5%.⁴

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.⁵

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.⁶

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.⁷

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.⁸

The economic gains of person-centred services

A recent study produced evidence according to which personal assistance and the personal budget produce modest but reliable economic gains within a ten-year period:⁹

- socio economic gains of EUR 600 million
- productivity gains of EUR 535 million
- budget savings of EUR 405 million

⁴ ENIL 2025a. Advocacy Campaign for Inclusive Employment takes shape. <https://enil.eu/advocacy-campaign-for-inclusive-employment-takes-shape/>

⁵ Eurostat 2025b. Disability statistics - poverty and income inequalities. https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability_statistics_-_poverty_and_income_inequalities

⁶ 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?

⁷ Eurostat 2025. Disability statistics - poverty and income inequalities. https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability_statistics_-_poverty_and_income_inequalities

⁸ OECD 2025. 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-d1e5185-e93c935c30

⁹ Rasmussen et al. 2025: Samfunnsøkonomisk analyse av BPA-ordningen. <https://www.vista-analyse.no/no/publikasjoner/samfunnsokonomisk-analyse-av-bpa-ordningen/>

3. Inefficient funding allocations

ENIL regularly monitors the fundamental rights compliance of the EU-Budget. At the moment, the EU is making significant funding allocations both to projects in line and in contradiction to Independent Living, social inclusion and equal treatment of disabled people, generating inefficiencies.

In the last two funding periods the European Union spent at least EUR 105,54 Million on the construction or renovation of 23 institutions.¹⁰

For example:

- In Hungary EUR 61,7 million were spent on 35 group homes at various localities throughout the country
- In Poland EUR 4,31 million were spent on the construction and equipping of the residential and care complex Romanów Senior Citizens' Home which provides 59 apartments
- In Bulgaria EUR 3,57 million were spent on building infrastructure, provide equipment, and furnish 14 centres for residential health and social services for children

These are not isolated cases but parts of a wider pattern. The confinement of a disabled person to an institution is a severe fundamental rights violation and against the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD). One of the most important objectives of our advocacy work is to end EU-spending on institutions.

EU money for Independent Living Services

However, EU funds can also make Independent Living a reality when invested correctly. Until 2028 Portugal will be receiving EUR 36 million from the European Social Fund Plus to provide personal assistance to disabled people. The overall project is receiving EUR 24,4 million.¹¹ In addition, the Algarve-region is receiving EUR 2,7 million and Lisbon EUR 8,9 million.¹² So far 1.124 disabled people have been supported in 35 Centres for Independent Living.

¹⁰ <https://www.bridge-eu.org/>

¹¹ https://transparencia.gov.pt/en/fundos-europeus/pt2030/beneficiarios-projetos/project/PESSOAS-FSE%2B-01773000/?utm_source=chatgpt.com

¹² https://transparencia.gov.pt/pt/fundos-europeus/pt2030/beneficiarios-projetos/projeto/ALGARVE-FSE%2B-01778600/?utm_source=chatgpt.com; https://transparencia.gov.pt/pt/fundos-europeus/pt2030/beneficiarios-projetos/projeto/LISBOA2030-FSE%2B-01778700/?utm_source=chatgpt.com

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Amendments to the National and Regional Partnership Plan Regulation

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 **COM (2025) 565 final 2025/0240 (COD)**

Our recommendation: Turn the new fund into an instrument that support human rights, equal treatment, social inclusion, financial sustainability and economic competitiveness

1. Legal and policy compliance

The regulation and the Partnership Plans have to comply with the provisions on disability in the Treaty on the Functioning of the European Union, the EU Charter on Fundamental Rights, the UN CRPD and the Guidance to Member States on Independent Living and inclusion in the community. Those documents both contain provisions with both legal and policy effect. To this end, amend recitals 17, 27, articles 2, 7, 8, 22 and 23. We also recommend adding a chapter on the international obligations under the UN CRPD.

The amendments should:

- a. Emphasise the legal obligation to comply with the provisions of those legal documents and to actively contribute to their implementation
- b. Install effective, independent and accessible complaints procedures in case of breaches
- c. Install policy prioritisation procedures that take into account the legal documents in question
- d. Mention examples for services and measures that should and should not be funded to ensure compliance

2. Ensure adequate funding

We can not leave the allocation of funding up to chance. We need a binding obligation to allocate financial resources to the implementation of TFEU, the Charter, the UN CRPD and the Guidance.

We recommend to:

- a. Amend recital 20 to earmark 25% of the resources of the European Social Fund to social inclusion. 10% of these resources should be allocated to the implementation of the Guidance to Member States on Independent Living
- b. Amend article 10,5 to increase the earmarking for social spending from 14% to 25%. Earmark 10% of these resources for the implementation of the UN CRPD.

3. Participation

By giving persons with disabilities a strong voice, we can ensure that: 1. Their will and preferences and their right to self-determination are respected. 2. The UN CRPD is respected. 3. It ensures that the services provided are actually needed. We all have a responsibility to make sure public funds are spent as effectively and efficiently as possible. By avoiding the creation and funding of unneeded and unwanted services, we avoid wasting scarce public finances. To this end, amend article 6(1c,2), article 54(7), article 87(5), article 88(1).

We recommend to:

- a. Involve disabled people and their representative organisations in a co-production approach in the partnership and multilevel-governance, the monitoring and coordinating committee, the exercise of delegation and the committee procedure. A co-production approach entails that there is a significant impact on the outcome

4. Definitions

In legislation, key terminology requires clean definitions. We are proposing the addition of various paragraphs to article 4 to included definitions for:

- a. Independent Living
- b. Deinstitutionalisation
- c. Personal Assistance
- d. Personal budgets
- e. Centres for Independent Living
- f. Co-production

Specific UN CRPD-provisions

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”.¹³

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 form of medical, social or charity care. “Funding for personal assistance must be provided on the basis of personalized criteria”.¹⁴

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

¹³ 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>

¹⁴ CRPD-Committee. General Comment No 5 on living independently and being included in the community. <https://docs.un.org/en/CRPD/C/GC/5>

a fulfilment condition a “national framework to ensure implementation of the UNCRPD is in place”.¹⁵

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.¹⁶

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.

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:¹⁷

“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;”

“Ensure that the post 2027 Cohesion Policy Legislation explicitly bans the use of EU funds for the construction and maintenance of institutional facilities, including small group homes”

¹⁵ Common Provisions Regulation. <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32021R1060#anx III>

¹⁶ FURI. How EU Funds violate fundamental rights. https://www.bridge-eu.org/files/ugd/aba538_db7a34c6e30a447f8de9283ac4f70e0e.pdf

¹⁷ 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>

1. For Partnerships Plans that support human rights, equal treatment and social inclusion

1.1 Legal compliance

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 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</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, 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 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</p>

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.

also contribute to strengthening the resilience of the healthcare systems, long-term care services and, 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.

Measures should also contribute to the full implementation of the UN Convention on the Rights of Persons with Disabilities (UNCRPD) and the European Commission Notice “Guidance to Members States on Independent Living and inclusion in the community”, including through investments that promote accessibility, independent living, community-based support and the removal of barriers to equal participation in society. Including by supporting investments in Independent Living, community-based services, including personal assistance, personal budgets, Centres for Independent Living, deinstitutionalisation involving the closure of all segregating living arrangements, supported employment, supported decision-making, housing accessibility, support to persons with disabilities who have become victims of gender and ableist based violence, support for the accessibility of childcare service, improved inclusion of childcare service for children with disabilities.

Recital 27

Text Proposed by the European Commission	Amendment
<p>(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 Council¹⁰. 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</p>	<p>(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 Council¹⁰. 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 the 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</p>

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.

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, 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.

There is a need for effective and independent monitoring mechanisms.

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 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 **and to contribute to the fight against discrimination against persons with disabilities in line with article 19 TFEU and article 21 of the EU Charter on Fundamental Rights and support the independence, social and occupational integration and participation in the life of the community of persons with disabilities in line with article 26 of the EU Charter on Fundamental Rights;**

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>(c) the norms and principles set out in the United Nations Convention on the Rights of Persons with Disabilities and the authoritative documents issued by the UN Committee on the Rights of Persons with Disabilities</p> <p>The Member States shall respect those rights, freedoms and principles throughout the preparation and implementation of their respective Plans.</p> <p>Those plans shall contain national frameworks to ensure the implementation of the UNCRPD including objectives with measurable goals, data collection and monitoring mechanisms, and reporting arrangements to the monitoring committee regarding cases of non-compliance of operations supported by the funds with the UNCRPD</p>

	<p>and complaints procedures. In that context, the Funds should be implemented in a way that fully supports the expansion of person-centred services and de-institutionalisation, involving the closure of institutions.</p>
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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 ant 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, accessibility for persons with disabilities shall be respected throughout the preparation and implementation of the Plans.</p> <p>States and the Commission shall:</p> <p>(a) integrate accessibility requirements and universal design principles from the outset of the preparation phase;</p> <p>(b) ensure that measures, services, infrastructures, communication, and digital tools supported under the Plans are accessible, in line with applicable Union accessibility legislation and standards, including the European Accessi-</p>

	<p>bility Act, the Web Accessibility Directive, and relevant European standards on universal design;</p> <p>(c) establish clear and measurable accessibility criteria and indicators, and integrate appropriate monitoring tools to support implementation, monitoring and reporting processes;</p> <p>(d) provide for regular monitoring and, where appropriate, public reporting of accessibility outcomes;</p> <p>(e) ensure the involvement of persons with disabilities and their representative organisations in relevant stages; and</p> <p>(f) provide or make use of technical assistance and capacity-building measures for managing authorities and project promoters to support compliance and the effective mainstreaming of accessibility and universal design principles.</p> <p>Compliance with accessibility requirements shall be subject to appropriate verification mechanisms, with a view to ensuring continuous improvement while avoiding unnecessary administrative burden.</p>
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Article 8 Respect of the rights, freedoms and principles set out in the Charter of Fundamental Rights – 1 and 1a (new)

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 and of the United Nations Convention on the Rights of Persons with Disabilities and the authoritative documents issued by the UN Committee on the Rights of Persons with Disabilities 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>(a) Effective mechanisms to ensure compliance of measures supported by</p>

the Funds with the Charter of Fundamental Rights and the UN CRPD shall include:

(1) arrangements to ensure that programmes supported by the Funds, as well as their implementation, comply with the relevant provisions of the Charter and the UN CRPD and the authoritative documents issued by the UN Committee on the Rights of Persons with Disabilities, including preventive measures, risk assessments and capacity-building for managing authorities and beneficiaries; wherever possible organisations of persons with disabilities shall conduct the capacity-building measures

(2) accessible, transparent and confidential complaint mechanisms enabling individuals and organisations to report cases of non-compliance to an independent body designated by the Member State, such as national human rights institutions, with safeguards to protect complainants from retaliation; an independent EU body with executive powers shall be installed to supervise national complaints bodies;

Complaints shall be effectively followed up, including through timely investigation, corrective measures and, where appropriate, suspension or financial corrections of the support concerned.

The Monitoring Committee and an independent EU body with executive pow-

ers shall oversee compliance with fundamental rights, including by implementing follow-up actions and addressing systemic issues identified by the independent body responsible for handling complaints. Aggregated data on complaints and their outcomes shall be made publicly available at least every two years.

Complaint mechanisms shall be widely publicised, user-friendly and accessible to all, including persons in vulnerable situations, throughout the entire programme cycle.

An independent EU body with executive powers shall issue and regularly update guidelines for assessing compliance with fundamental rights and shall support Member States in ensuring effective implementation. Those guidelines shall be based on the authoritative documents issued by the Committee on the Rights of Persons with Disabilities

An independent EU body with executive powers shall also collect, verify and assess information from relevant independent sources, including complaints and reports by civil society organisations and national human rights institutions, and shall take appropriate supervisory, preventive and corrective measures where risks or breaches of the Charter are identified. These elements shall be duly reflected in the Commission's assessment of national plans.

Explanation: The European Network on Independent Living and the Validity Foundation regularly submit complaints about cases of suspected misuse of EU funds. In most cases it is unclear which steps the European Commission is taking to investigate. In 2021, the EU Ombudsman ruled that the European Commission did not adequately follow-up on submitted complaints and that a revision of complaints procedures is necessary.

Also, the CRPD-Committee asked the EU to install a better complaints mechanism:

(f) Strengthen monitoring and complaint mechanisms of the allocation of EU funds, by enhancing independence of monitoring committees at the national level, ensuring monitoring by national human rights institutions, persons with disabilities and their representative organizations, in the allocation of EU funds for disability-specific purposes, ensure effective access to justice for persons with disabilities and their representative organizations against the allocation of EU funds by Member States in violation of the Convention, and use its powers, such as infringement procedures, against Member States failing to implement these measures;

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

Text proposed by the European Commission	Amendment
(o) provide a self-assessment of the compliance with the Charter horizontal condition referred to in Article 8 [Charter Article];	<p>(o) provide a self-assessment of the compliance with the Charter horizontal condition referred to in Article 8 [Charter Article];</p> <p>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</p>

	<p>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.</p> <p>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.</p> <p>The independence is subject to review by an independent EU body with executive powers. Shall national bodies be found to be in non-compliance with the independence principle, payments shall be suspended, including retrospectively.</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:¹⁸</p> <p>The Paris Principles set out the main criteria that NHRIs are required to meet:</p> <ul style="list-style-type: none"> • Establishment under primary law or the Constitution • A broad mandate to promote and protect human rights • Formal and functional independence • Pluralism, representing all aspects of society • Adequate resources and financial autonomy 	

¹⁸ European Network of National Human Rights Institutions <https://ennhri.org/about-nhris/un-paris-principles-and-accreditation/>

- Freedom to address any human rights issue arising
- Annual reporting on the national human rights situation
- Cooperation with national and international actors, including civil society

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 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>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 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>2. There shall be an independent complaints mechanism. Civil society organisations and individuals shall be permitted to submit evidence of breaches with the EU Fundamental Rights Charter the United Nations Convention on the Rights of Persons with Disabilities. Where there is evidence of breaches, an independent investigation and review of the NRP Plan shall take place. If breaches are confirmed binding correction measures shall be imposed. The implementation of those measures shall be compulsory.</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.¹⁹ So far, this decision remains unimplemented. The new MFF represents an excellent opportunity to do this.

Chapter II – International Obligations – Article 41 (new)

Text proposed by the European Commission	Amendment
	<p style="text-align: center;">Article 41</p> <p style="text-align: center;">United Nations Convention on the Rights of Persons with Disabilities</p> <ol style="list-style-type: none"> 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. 2. No public or private funds shall be spent on maintaining, renovating, establishing, building or creating any form of institution or institutionalisation. 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.

¹⁹ EU Ombudsman. Decision on the own initiative inquiry <https://www.ombudsman.europa.eu/en/decision/en/155353>

<p>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.</p>	

1.2 Services to fund

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, which is accessible for persons with disabilities and follows universal design standards</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</p>	

impairments.²⁰ A major survey among disabled people showed that housing is very often inaccessible.²¹ To tackle the homelessness crisis, we need to tackle the inaccessibility problem.

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; promoting social inclusion and equal treatment of persons with disabilities by supporting investments in Independent Living, community-based services, including</p>

²⁰ 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

²¹ ENIL Independent Living Survey. https://enil.eu/wp-content/uploads/2025/05/Independent-Living-Survey-2024_WEB.pdf

	<p>personal assistance, personal budgets , Centres for Independent Living, deinstitutionalisation involving the closure of all segregating living arrangements, supported employment, supported decision-making, housing accessibility and support to persons with disabilities who have become victims of gender and ableist based violence.</p>
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2. Ensuring adequate funding

Recital 20

Text proposed by the European Commission	Amendments
<p>(20) In order to protect, strengthen democracy, rule of law and uphold Union values, [...]</p> <p>To ensure that the social dimension of Europe as set out in the European Pillar of Social Rights is duly put forward and that a sufficient amount of resources is targeting those most in need, Member States should allocate resources to fostering social inclusion. Due to the particular need to support children in poverty Member States should also programme resources to address the measures under the Child Guarantee. In light of persistently high levels of youth unemployment and inactivity in a number of Member States and regions, in particular affecting young people who are neither in employment, nor in education or</p>	<p>(20) In order to protect, strengthen democracy, rule of law and uphold Union values, [...]</p> <p>To ensure that the social dimension of Europe as set out in the European Pillar of Social Rights is duly put forward and that a sufficient amount of resources is targeting those most in need, Member States should allocate resources to fostering social inclusion, <i>including by dedicating at least 25% of ESF resources to social inclusion, in continuity with ESF+ thematic concentration.</i> Due to the particular need to support children in poverty, Member States should also programme resources to address the measures under the Child Guarantee. In light of persistently</p>

<p>training, it is necessary that those Member States continue to invest sufficient resources towards measures to promote youth employment, including through the implementation of the Youth Guarantee. Member States should therefore allocate an appropriate amount of resources to this challenge. Member States seriously affected by youth unemployment should allocate resources of the ESF to support youth employability.</p>	<p>high levels of youth unemployment and inactivity in a number of Member States and regions, in particular affecting young people who are neither in employment nor in education or training, it is necessary that those Member States continue to invest sufficient resources towards measures to promote youth employment, including through the implementation of the Youth Guarantee. Member States should therefore allocate an appropriate amount of resources to this challenge. Member States seriously affected by youth unemployment should allocate resources of the ESF to support youth employability.</p> <p>In light of, increasing levels of institutionalisation of persons with disabilities and persistent gaps in the provision of person-centred services such as personal assistance and personal budgets, 10% of the resources for social inclusion should be dedicated to the implementation of the European Commission Notice “Guidance to Member States on Independent Living and inclusion in the Community”.</p>
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Article 10 - Budget - Paragraph 5

<p>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</p>	<p>5. At least 14 % 25% 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</p>
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<p>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.</p>	<p>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.</p> <p>At least 10% of the Unions’ social spending shall be dedicated to the implementation of the UN CRPD in the EU.</p>
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3. Participation

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

Text proposed by the European Commission	Amendments
<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, organisations of persons with disabilities, gender equality and non-discrimination, national human rights institutions and organisations;</p>

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. Organisations of persons with disabilities have to be given co-production powers in all decisions that concerning persons with disabilities.</p> <p>7. (new) The Commission shall monitor and assess the quality and inclusiveness of partnership arrangements in Member States, including the effective participation of organisations of persons with disabilities. Where shortcomings or purely formal (“tick-box”) consultations are identified, the Commission may request corrective measures as a condition for programme approval or continued implementation. Organisations of persons with disabilities may submit complaints about insufficient involvement which shall trigger a timely review.</p>

Article 54 – Monitoring committee and coordinating committee - 7 (new)

Text proposed by the European Commission	Amendment
	<p>Member States shall ensure the meaningful and effective participation of organisations of persons with disabilities, through timely access to information, the possibility to contribute to decision-making, and appropriate support measures.</p> <p>Member States shall allocate adequate resources from the Funds for the administrative capacity of organisations of persons with disabilities. Such support shall include operational grants, training, technical support and reimbursement of participation costs.</p> <p>The European Commission shall support the capacity of participating organisations, to facilitate their effective involvement in Monitoring Committees.</p>

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, and in matters concerning persons with disabilities, organisations of persons with disabilities shall be meaningfully involved,</p>

	in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.
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Article 88 – Committee procedure – Paragraph 1

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

4. Definitions

Article 4 – Definitions 9 (new) – Independent Living

Text proposed by the European Commission	Amendments
	Independent Living means individuals with disabilities are provided with all necessary means to enable them to exercise choice and control over their lives and make all decisions concerning their lives. Personal autonomy and self-determination are fundamental to independent living, including access to transport, information, communication and personal assistance, place of resi-

	<p>dence, daily routine, habits, decent employment, personal relationships, clothing, nutrition, hygiene and health care, religious activities, cultural activities and sexual and reproductive rights.</p>
<p>Explanation: A full definitions was established by General Comment No 5²² adopted by the CRPD-Committee.²³</p>	

Article 4 – Definitions 10 (new) – Deinstitutionalisation

Text proposed by the European Commission	Amendments
	<p>Deinstitutionalisation is a political and a social process, which provides for the shift from institutional care and other isolating and segregating settings to independent living. Effective deinstitutionalisation occurs when a person placed in an institution is given the opportunity to become a full citizen and to take control of his/her life (if necessary, with support). Essential to the process of deinstitutionalisation is the provision of affordable and accessible housing in the community, access to public services, personal assistance, and peer support.</p> <p>Institutions can be nursing homes or social care institutions. Institutions are defined by criteria like the obligatory</p>

²² General Comment No 5 on living independently and being included in the community: <https://digitallibrary.un.org/record/1311739?v=pdf>

²³ Guidelines on Deinstitutionalisation, including in emergencies: <https://www.ohchr.org/en/documents/legal-standards-and-guidelines/crpd5-guidelines-deinstitutionalization-including>

	<p>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.</p>
<p>Explanation: Full definitions of deinstitutionalisation and institutions were established by General Comment No 5²⁴ and the Guidelines on Deinstitutionalisation, including in emergencies, adopted by the CRPD-Committee.²⁵</p>	

Article 4 – Definitions 12 (new) – Personal Assistance

Text proposed by the European Commission	Amendments
	<p>Personal assistance refers to person-directed/“user”-led human support available to a person with disability and is a tool for independent living. There are certain defining elements:</p> <p>i. Funding for personal assistance must be provided on the basis of personalized criteria. The funding is to be controlled by and allocated to the person with disability with the purpose of paying for any assistance required.</p> <p>ii. The service must be controlled by the person with disability, meaning that he</p>

²⁴ General Comment No 5 on living independently and being included in the community: <https://digitallibrary.un.org/record/1311739?v=pdf>

²⁵ Guidelines on Deinstitutionalisation, including in emergencies: <https://www.ohchr.org/en/documents/legal-standards-and-guidelines/crpd5-guidelines-deinstitutionalization-including>

	<p>or she can either contract the service from a variety of providers or act as an employer.</p> <p>iii. Personal assistance is a one-to-one relationship. Personal assistants must be recruited, trained and supervised by the person granted personal assistance. Personal assistants should not be “shared” without the full and free consent of the person granted personal assistance.</p> <p>iv. Self-management of service delivery. Persons with disabilities who require personal assistance can freely choose their degree of personal control over service delivery according to their life circumstances and preferences.</p>
<p>Explanation: The full definition was established by General Comment No 5 on living independently and being included in the community.²⁶</p>	

Article 4 – Definitions 13 (new) – Personal Budgets

Text proposed by the European Commission	Amendments
	<p>When holding a personal budget (PB) a disabled person receives a monthly amount of funding to purchase services needed for support.</p>

²⁶ General Comment No 5 on living independently and being included in the community <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no5-article-19-right-live>

	<p>Personal budgets (PBs) function according to the principle of demand driven support and are all about the disabled person taking control of the organisation of their own care and support. Personal budgets work according to the ‘the budget follows the person principle’. Personal budgets have the objective of enabling the recipients to participate in society without having others make choices for them (European Commission 2024).</p> <p>Personal budgets allow a disabled person to hire the assistants they prefer and ensure a power balance in her or his favour. Having full choice and control over who provides the assistance is essential to preserve the dignity of the disabled person.</p>
<p>Explanation: Based on a definition provided by the European Commission²⁷, ENIL established an improved and refined conceptualisation in our Roadmap on Independent Living.</p>	

Article 4 – Definitions 14 (new) – Centres for Independent Living

Text proposed by the European Commission	Amendments
	<p>A Centre for Independent Living (CIL) is a community-based, cross-disability, non-profit organisation that is run, gov-</p>

²⁷ European Commission 2024: Determining success factors for personal budgets among people with disabilities <https://op.europa.eu/en/publication-detail/-/publication/f4881258-3d9e-11ef-ab8f-01aa75ed71a1/language-en>

	<p>erned, and controlled by disabled people, operating according to the core principle of user-led control, whereby disabled people design, manage, and deliver all activities and services.</p> <p>Grounded in the philosophy of Independent Living and aligned with the UN Convention on the Rights of Persons with Disabilities (CRPD), CILs aim to promote full inclusion, participation, and equality by dismantling structures of imposed dependency and challenging top-down approaches to support.</p> <p>They work to ensure that disabled people have the autonomy, dignity, and support required to live and participate in the community on an equal basis with others, with choice and control over the assistance they receive</p>
<p>Explanation: A full definition has been established in our Centres for Independent Living Toolkit for User-Led and Intersectional Support and Advocacy²⁸</p>	

²⁸ European Network on Independent Living 2024. A Practical Toolkit for User-Led and Intersectional Support and Advocacy. https://enil.eu/wp-content/uploads/2025/12/A-Practical-Toolkit_web.pdf

Article 4 – Definitions 15 (new) – Co-production

Text proposed by the European Commission	Amendments
	<p>Co-production is a relationship where professionals and citizens share power to design, plan and deliver support together, recognising that both partners have vital contributions to make in order to improve quality of life for people and communities. Co-production entails the he following elements:</p> <ul style="list-style-type: none"> • Co-design, including planning of services • Co-decision making in the allocation of resources • Co-delivery of services, including the role of volunteers in providing the service • Co-evaluation of the services
<p>Explanation: The UNCRPD refers to co-production in its preamble. Letter (o) states that “persons with disabilities should have the opportunity to be actively involved in decision-making processes about policies and programmes, including those directly concerning them”.</p> <p>Article 4 on general obligations states in paragraph 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, State Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their presentative organisations”</p>	

Amendments to the budget expenditure tracking and performance framework

Full title: 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)

Specific UN CRPD-provisions

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 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:

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

Recommendation:

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

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
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	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

<p>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>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 and disability 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>Explanation: 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.</p>	

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</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</p>

<p>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 and collective agreements.</p>	<p>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, the inclusion of persons with disabilities and housing and housing assistance for the homeless 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 and collective agreements.</p>
<p>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.</p>	

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</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</p>

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 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.

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, **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.** 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 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

	<p>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.</p>
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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. 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. 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. A continuous performance tracking in the</p>

	<p>area of disability equality needs to be established. Performance indicators measuring progress in the implementation of the UN CRPD need to be used.</p>
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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 and, climate and biodiversity and disability equality. 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>Article 8</p> <p>Disability Equality</p> <p>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.</p> <p>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.</p> <p>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 the EU Fundamental Rights Charter, the UN CRPD and Commission C(2024) 7897 final.</p> <p>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.</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. In relation to disability equality, evaluations shall cover measures implemented in accordance with Commission Notice C(2024) 7897 final.</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, disability equality, visibility and European added value.</p>

	<p>5. Member States shall entrust evaluations to functionally independent experts. If measures have a disability dimension, experts shall be sent from organisations of persons with disabilities.</p>
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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 and a disability equality 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 disability equality;</p> <p>(c) in case of disability equality using the methodology outlined in article 8</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 and funds invested Number of community-based services projects supported and funds invested Number of personal assistance projects supported and funds invested Number of personal budget projects supported and funds invested Number of Centre for Independent Living projects supported and funds invested	Number of people that left and entered the institutional system, number of persons with disabilities confined to institutions Number of beneficiaries of community-based services Number of people that acquired and are users of personal assistance Number of people that acquired and are receiving 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 and funds invested	Number of supported decision-making beneficiaries
Social	Employment and	Access to				100%	Number of sup-	Number of per-

	labour market	the open labour market for persons with disabilities through supported employment					ported employment projects financed and funds invested	sons with disabilities that benefit from supported employment measures Number of persons with disabilities that acquired permanent jobs in the open labour 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

Amendments to the Global Europe programme

Technical title of the regulation: Proposal for a Regulation of the European Parliament and the Council establishing Global Europe COM(2025) 551final

Turn Global Europe into a programme that strongly supports the rights of persons with disabilities

A key objective of Global Europe is to promote our values which are rooted in our commitment to human rights.

The United Nations Convention on the Rights of Persons with Disabilities (UN CRPD) is one of the major international thematic human rights treaties. The European Union is a party to the UNCRPD which is part of the Unions' legal order. The UN CRPD is the only international human rights treaty the EU is party to.

The ratification of the UN CRPD by the EU and all its member states shows that the rights of persons with disabilities are an intrinsic part of our values.

Articles 21 and 26 of the EU Charter of Fundamental Rights and article 19 of the Treaty of the Functioning of the European Union commit the EU to the pursuit of the equal treatment and social inclusion of persons with disabilities.

Given this inexorable commitment, we recommend giving the promotion of the rights of persons with disabilities a stronger role.

We recommend:

Amend article 4, 1b “Objectives of the instrument” and include the United Nations Convention on the Rights of Persons with Disabilities (UN CRPD)

Article 4, 1b states that Global Europe should contribute to the promotion of multilateralism and lists various international agreements the EU has concluded and whose implementation the programme should support. The UN CRPD is not listed. That is a missed opportunity which should be corrected.

Amend Article 9 (4) “General Principles” and list “equal treatment and social inclusion”, “Independent Living”, “personal assistance” and “deinstitutionalisation” as actions to be promoted

We welcome the reference to persons with disabilities. To ensure Global Europe generates investments that make a difference, we recommend adding precision by listing some of the objectives that should be pursued and actions to be financed.

Amend article 10 “Mainstreaming” and add “equal treatment and inclusion of persons with disabilities” to the list of topics

We welcome the mainstreaming of the fight against climate change, environmental protection, and gender equality. The equal treatment and social inclusion of persons with disabilities have a high standing in EU primary and secondary law and in EU policy making and thus should be directly mentioned among the topics to be mainstreamed.

Amend Article 23 “Implementation and forms of Union funding” and add a reference to the rights of persons with disabilities.

2. Ensure Global Europe takes into account the specific needs of women with disabilities

Persons with disabilities are a heavily marginalised group worldwide. Women with disabilities are more strongly affected by all the barriers persons with disabilities encounter. Women with disabilities are more frequently institutionalised and when in those settings at a high risk of forced sterilisation, depriving them of their reproductive rights. Women with disabilities who are mothers are doubly affected by the widespread unavailability of person-centred services to support them with their disabilities and of adequate childcare services, in particular when the child has a disability too.

In the fight for Gender Equality, the specific needs of women with disabilities are usually not taken into account.

We recommend:

Amend articles 9 - General Principles - 5 and 6 and add references to women with disabilities

3. Ensure organisations of persons with disabilities can participate in the programme

The empowerment of persons with disabilities to act as self-advocates is one of the key principles of the UN CRPD. Persons with disabilities shall no longer be seen as objects, a group decision are taken about but as subjects, a group that takes decisions about itself.

Organisations of persons with disabilities are controlled, run and staffed by persons with disabilities and play a key role in bringing this objective to live. Across the globe, such organisations are small, marginalised and struggle to be heard. A special awareness for their situation and needs is required, specific support needed.

We recommend:

Amend Article 2 - Definitions (8) and list the self-representation of persons with disabilities as entities which are distinct from civil society actors.

Amend Article 9 “General Principles” 3 and 9, Article 13 “General programming approach” 2 and Article 14 “Geographic programming principles” and add references to organisations of persons with disabilities.

We wish to present detailed amendments:

1. Global Europe as a global support instrument for the rights of persons with disabilities

Recital 48a (new)

Text proposed by the European Commission	Amendment
	<p>The instrument shall promote the rights of persons with disabilities by supporting the implementation of the United Nations Convention on the Rights of Persons with Disabilities Globally. Actions financed under the instruments shall be designed according to the authoritative documents issued by the UN Committee on the Rights of Persons with Disabilities and the European Commission Notice to Member States “Guidance on independent living and inclusion in the community of persons with disabilities in the context of EU funding”. In particular, recipients of funds shall implement actions supporting Independent Living and deinstitutionalisation, the access to person-centred services as well as the equal treatment and social inclusion of persons with disabilities.</p>
<p>Explanation:</p> <p>As mentioned, the UN CRPD has a high standing in EU law because it is part of the Unions’ legal order. 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.</p>	

Pursuant to Article 216(2) TFEU, agreements concluded by the Union are binding upon the institutions of the Union and on its Member States.

Letter (g) of the preamble to the UN CRPD emphasises “the importance of mainstreaming disability issues as an integral part of relevant strategies of sustainable development”.

UN CRPD article 19 on Independent Living grants persons with disabilities the right of choices equal to others, full inclusion and participation in the community and access to person-centred services. It is unique in that it relates to all other articles of the Convention.

Given this background, listing the UN CRPD is well justified.

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.²⁹ These documents are to be regarded as authoritative.

The 2025 European Commission Guidance on Independent Living³⁰ was adopted to provide guidance on the usage of EU funding. It recommends investments in person-centred services, for example personal assistance.

Those documents guide the EU’s legal and policy activities on disability and should be used to guide the Union’s funding programmes.

In Europe and beyond there is a great scarcity of person-centred services.

Listing those priorities directly, will ensure increased investments.

The equal treatment and social inclusion of persons with disabilities have a high standing in EU law and policy making and should thus be mentioned directly.

According to article 21 of the EU Charter on 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

²⁹ <https://www.ohchr.org/en/treaty-bodies/crpd>

³⁰ <https://eur-lex.europa.eu/eli/C/2024/7188/oj/eng>

their independence, social and occupational integration and participation in the life of the community.

The European Strategy on the Rights of Persons with Disabilities is the EUs' multiannual policy framework.

Together, those documents demonstrate how important the rights of persons with disabilities are for the EU, justifying references.

Article 4 - Objectives of the Instrument - 1b

Text proposed by the European Commission	Amendment
(b) to contribute to the promotion of multilateralism and a rules-based international order, the achievement of the international commitments and objectives that the Union has agreed to, in particular the sustainable development goals, the 2030 Agenda, the Paris Agreement and the Kunming-Montreal Global Biodiversity Framework;	(b) to contribute to the promotion of multilateralism and a rules-based international order, the achievement of the international commitments and objectives that the Union has agreed to, in particular the sustainable development goals, the 2030 Agenda, the Paris Agreement, and the Kunming-Montreal Global Biodiversity Framework and the United Nations Convention on the Rights of Persons with Disabilities ;

Article 9 - General Principles - 4

Text proposed by the European Commission	Amendment
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<p>4. Actions under this Instrument shall apply a human rights-based approach encompassing all human rights. That approach shall be guided by the principles of ‘leaving no one behind’, equality, non-discrimination on any grounds, including towards persons with disabilities.</p>	<p>4. Actions under this Instrument shall apply a human rights-based approach encompassing all human rights. That approach shall be guided by the principles of ‘leaving no one behind’, equality, non-discrimination on any grounds, including towards persons with disabilities. Actions shall promote the equal treatment and social inclusion of persons with disabilities by providing investments in independent Living, including the provision of personal assistance and progress on deinstitutionalisation.</p>
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Article 10 - Mainstreaming

Text proposed by the European Commission	Amendments
<p>Programmes and actions under the Instrument shall mainstream the fight against climate change, environmental protection and gender equality, in accordance with Regulation (EU, Euratom) [XXX] [Performance Regulation]. Those priorities shall be considered in the design and implementation of actions under the Instrument, with the aim to create co-benefits and meet multiple objectives in a coherent way.</p>	<p>Programmes and actions under the Instrument shall mainstream the fight against climate change, environmental protection, and gender equality and equal treatment and social inclusion of persons with disabilities, in accordance with Regulation (EU, Euratom) [XXX] [Performance Regulation]. Those priorities shall be considered in the design and implementation of actions under the Instrument, with the aim to create co-benefits and meet multiple objectives in a coherent way.</p>

Article 23 - Implementation and forms of Union funding

Text proposed by the European Commission	Amendment
<p>6. Budget support, including through sector reform performance contracts, shall be based on country ownership, mutual accountability and the commitment of partner countries, taking into account their record and progress with regard to universal values, democracy, human rights and the rule of law, and aims to strengthen partnerships between the Union and partner countries. It shall include reinforced policy dialogue, capacity building and improved governance, complementing partners' efforts to collect more and to spend better in order to support sustainable, inclusive growth and decent job creation, including for young people poverty eradication, inequality reduction, and to build and consolidate democracies and peaceful societies. Budget support shall also contribute to gender equality.</p>	<p>6. Budget support, including through sector reform performance contracts, shall be based on country ownership, mutual accountability and the commitment of partner countries, taking into account their record and progress with regard to universal values, democracy, human rights, including the rights of persons with disabilities and the rule of law, and aims to strengthen partnerships between the Union and partner countries. It shall include reinforced policy dialogue, capacity building and improved governance, complementing partners' efforts to collect more and to spend better in order to support sustainable, inclusive growth and decent job creation, including for young people poverty eradication, inequality reduction, and to build and consolidate democracies and peaceful societies. Budget support shall also contribute to gender equality.</p>

2. Taking into account the specific needs of women with disabilities

Recital 47

Text proposed by the European Commission	Amendment
<p>(47) The implementation of the Instrument should be guided by the principles of gender equality, women and girls' empowerment and of preventing and combating violence against women and domestic violence and should seek to protect and promote women's rights in line with the Roadmap on Women's Rights, Gender Equality Strategy, EU Gender Action Plans, relevant Council conclusions and international conventions, including the Istanbul Convention on violence against women. Strengthening gender equality and women's empowerment in the Union's external action and increasing efforts to reach the minimum standards of performance indicated by the EU Gender Action Plans should lead to a gender sensitive and transformative approach in all Union external action and international cooperation. Gender equality and women's and girls' empowerment should be mainstreamed under the Instrument and adequately reflected across all the actions.</p>	<p>(47) The implementation of the Instrument should be guided by the principles of gender equality, women and girls' empowerment and of preventing and combating violence against women and domestic violence and should seek to protect and promote women's rights in line with the Roadmap on Women's Rights, Gender Equality Strategy, EU Gender Action Plans, relevant Council conclusions and international conventions, including the Istanbul Convention on violence against women. Strengthening gender equality and women's empowerment in the Union's external action and increasing efforts to reach the minimum standards of performance indicated by the EU Gender Action Plans should lead to a gender sensitive and transformative approach in all Union external action and international cooperation. Gender equality and women's and girls' empowerment should be mainstreamed under the Instrument and adequately reflected across all the actions. The instruments shall finance actions to combat violence and discrimination against disabled women, including gender and disability-based violence, confinement to institutions, forced sterilisation and contraception. It shall support the access to parenthood of persons with disabilities, including to sexual and reproductive healthcare</p>

	services. It shall support the accessibility of childcare services and the inclusiveness of mainstream childcare services for children with disabilities.
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Explanation:

Letter (q) of the preamble to the UN CRPD recognises “that women and girls with disabilities are often at greater risk, both within and outside the home, of violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation”.

Letter (s) emphasises “the need to incorporate a gender perspective in all efforts to promote the full enjoyment of human rights and fundamental freedoms by persons with disabilities”.

The figures presented are about the EU but there is no reason to believe that the situation outside the Union is better.

There is empirical evidence of the challenges women with disabilities face.

According to the European Parliament, within the EU disabled women and girls are 2 to 5 times more likely to experience violence than non-disabled women.

34% of women with a health problem or a disability have experienced physical or sexual violence by a partner during their lifetime, compared to 19% of women without disabilities.

61% have experienced sexual harassment since the age of 15, compared to 54% of women without disabilities.³¹

According to the European Disability Forum (EDF), in 13 EU countries forced sterilisation of persons with disabilities is still legal, disproportionately affecting women and girls. Disabled women are also significantly more likely to experience sexual violence, harassment, domestic abuse and violence in institutional settings.³²

³¹ [https://www.europarl.europa.eu/Reg-Data/etudes/BRIE/2025/775872/EPRS_BRI\(2025\)775872_EN.pdf](https://www.europarl.europa.eu/Reg-Data/etudes/BRIE/2025/775872/EPRS_BRI(2025)775872_EN.pdf)

³² https://www.edf-feph.org/content/uploads/2022/09/EDF_FS_0909-accessible.pdf

Article 9 - General Principles - 5 and 6

Text proposed by the European Commission	Amendment
<p>5. The Instrument shall promote gender equality and girls' and women's empowerment and prevent and fight violence against women and domestic violence. It shall also give particular attention to the rights of the child and to the protection and empowerment of youth.</p>	<p>5. The Instrument shall promote gender equality and girls' and women's empowerment with a particular focus on the equal treatment of women with disabilities and prevent and fight violence against women and domestic violence. It shall also give particular attention to the rights of the child and to the protection and empowerment of youth.</p>
<p>6. The Instrument shall be implemented in full accordance with the Union commitment to the promotion, protection and fulfilment of all human rights and to the full and effective implementation of the Beijing Declaration and the Platform for Action of the International Conference on Population and Development and the outcomes of their review conferences and remains committed to sexual and reproductive health and rights, in this context. The Instrument shall also support the Union commitment to the promotion, protection and fulfilment of the right of every individual to have full control over and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence. It shall also support the need for universal access to quality and affordable comprehensive sexual and reproductive health information, education, including</p>	<p>6. The Instrument shall be implemented in full accordance with the Union commitment to the promotion, protection and fulfilment of all human rights and to the full and effective implementation of the Beijing Declaration and the Platform for Action of the International Conference on Population and Development and the outcomes of their review conferences and remains committed to sexual and reproductive health and rights, including of women with disabilities, in this context. The Instrument shall also support the Union commitment to the promotion, protection and fulfilment of the right of every individual to have full control over and decide freely and responsibly on matters related to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence. It shall also support the need for universal access to quality and affordable comprehensive sexual and reproductive health information, education, including</p>

comprehensive sexuality education, and health-care services.	comprehensive sexuality education, and health-care services.
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3. Ensuring the participation of organisations representing persons with disabilities

Article 2 - Definitions (8)

Text proposed by the European Commission	Amendment
(8) ‘civil society organisation’ means a wide range of actors with multiple roles and mandates, which may vary over time and across institutions and countries, and includes all independent non-State, not-for-profit and non-violent structures, through which people organise the pursuit of shared objectives and ideals, including political, cultural, religious, environmental, social or economic,, and which operate at local, national, regional or international levels, and which comprise urban and rural, formal and informal organisations;	(8) ‘civil society organisation’ means a wide range of actors with multiple roles and mandates, which may vary over time and across institutions and countries, and includes all independent non-State, not-for-profit and non-violent structures, through which people organise the pursuit of shared objectives and ideals, including political, cultural, religious, environmental, social, the self-representation of persons with disabilities or economic,, and which operate at local, national, regional or international levels, and which comprise urban and rural, formal and informal organisations;
<p>Explanation:</p> <p>Letter (o) of the preamble to the UN CRPD considers “that persons with disabilities should have the opportunity to be actively involved in decision-making processes about policies and programmes, including those directly concerning them”.</p>	

UN CRPD article 4 “General Obligations” states that state parties shall “closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations” in all legislative, policy and decision-making processes that concern persons with disabilities.

UN CRPD article 29 on participation in political and public life states that state parties have to actively promote an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs which entails:

“Forming and joining organizations of persons with disabilities to represent persons with disabilities at international, national, regional and local levels.”

Given the high status the UN CRPD grants the self-representation of persons with disabilities a direct reference is duly justified.

Article 9 - General Principles - 3 and 9

Text proposed by the European Commission	Amendments
<p>3. The Union shall seek to promote, develop and consolidate the principles of democracy, good governance, the rule of law and respect for human rights and fundamental freedoms on which it is founded, notably through dialogue and cooperation with partner countries and regions and with civil society, including through action in multilateral fora.</p>	<p>3. The Union shall seek to promote, develop and consolidate the principles of democracy, good governance, the rule of law and respect for human rights and fundamental freedoms on which it is founded, notably through dialogue and cooperation with partner countries and regions, and with civil society and organisations of persons with disabilities, including through action in multilateral fora.</p>

<p>9. In accordance with the principle of inclusive partnership, where appropriate, the Commission shall ensure that relevant stakeholders of partner countries, including civil society organisations and local authorities, are duly consulted and have timely access to relevant information allowing them to play a meaningful role during the design, implementation and associated monitoring processes of programmes and actions under the Instrument.</p>	<p>9. In accordance with the principle of inclusive partnership, where appropriate, the Commission shall ensure that relevant stakeholders of partner countries, including civil society organisations, organisations of persons with disabilities and local authorities, are duly consulted and have timely access to relevant information allowing them to play a meaningful role during the design, implementation and associated monitoring processes of programmes and actions under the Instrument.</p>
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Article 13 - General programming approach - 2

Text proposed by the European Commission	Amendments
<p>2. On the basis of Article 8, programming documents shall provide a coherent framework for cooperation between the Union, partner countries or regions and other partners, consistent with the overall purpose and scope, objectives and principles set out in this Regulation.</p> <p>The Commission shall consult other donors and actors, including local authorities, representatives of civil society and the private sector, where relevant.</p> <p>The Commission shall inform the European Parliament and the Council about the outcome of the consultations envisaged</p>	<p>2. On the basis of Article 8, programming documents shall provide a coherent framework for cooperation between the Union, partner countries or regions and other partners, consistent with the overall purpose and scope, objectives and principles set out in this Regulation.</p> <p>The Commission shall consult other donors and actors, including local authorities, representatives of civil society, including organisations of persons with disabilities and the private sector, where relevant.</p> <p>The Commission shall inform the European Parliament and the Council about the outcome of the consultations envisaged</p>

under the second subparagraph.	under the second subparagraph.
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Article 14 - Geographic programming principles

Text Proposed by the European Commission	Amendment
<p>1. Programming under Article 3(2), point (a), shall be based on the following principles:</p> <p>(a) actions shall be based, to the extent possible, on a dialogue between the Union, Member States and the partner countries concerned, including national, regional and local authorities, and involving civil society;</p>	<p>1. Programming under Article 3(2), point (a), shall be based on the following principles:</p> <p>(a) actions shall be based, to the extent possible, on a dialogue between the Union, Member States and the partner countries concerned, including national, regional and local authorities, and involving civil society, including organisations of persons with disabilities;</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.

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