



# **European Semester 2023 mainstreaming disability equality**

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# European Semester 2023 mainstreaming disability equality

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European Disability Expertise (EDE) provides independent scientific support to the Commission's policy Unit responsible for disability issues. It aims to mainstream disability equality in EU policy processes, including implementation of the United Nations Convention on the Rights of Persons with Disabilities.

This synthesis report has been prepared as input for the European Semester.<sup>1</sup>

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<sup>1</sup> For an introduction to the Semester process, see <https://www.consilium.europa.eu/en/policies/european-semester/how-european-semester-works/>, and in relation to the 2023 European and Recovery and Resilience Facility integrated processes [https://commission.europa.eu/business-economy-euro/economic-and-fiscal-policy-coordination/european-semester/european-semester-timeline/linking-european-semester-and-recovery-and-resilience-facility\\_en#the-2023-european-semester-and-recovery-and-resilience-facility-integrated-processes](https://commission.europa.eu/business-economy-euro/economic-and-fiscal-policy-coordination/european-semester/european-semester-timeline/linking-european-semester-and-recovery-and-resilience-facility_en#the-2023-european-semester-and-recovery-and-resilience-facility-integrated-processes).

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## 1 Contextual analysis of the Semester process

The format of this report was established for the 2021 Semester, as part of the work programme of the Commission's European Disability Expertise (EDE) network and building on previous work by the Academic Network of European Disability experts (ANED) project. This updated report provides a cumulative synthesis of evidence relevant to the European Semester from a disability perspective, focusing on the current policy cycle (2023) and in preparation for the next cycle (2024). This is the third and final update, representing the state of evidence to May 2023.<sup>2</sup>

The European Semester was established in 2010 as the EU's strategic economic policy co-ordination mechanism. It addresses the public finances of the Member States and includes a strong focus on employment policies as well as a social dimension. The process of open co-ordination was adapted and streamlined in response to EU strategic priorities. Following conclusion of the Lisbon Strategy, the primary driver was the 'Europe 2020' strategy, with a focus on long-term recovery from the financial crisis of 2008. Current policy proceeds in context of the Strategic Agenda 2019-2024,<sup>3</sup> and implementation of the European Pillar of Social Rights. Following the COVID-19 crisis, the Semester was adapted to coordinate with the EU's Recovery and Resilience Facility (the Facility) and routine publication of National Reform Programmes, Commission country reports and country-specific recommendations was suspended in 2021. These resumed in 2022 and the 2023 Semester marked the resumption of a business as usual approach.<sup>4</sup>

The 2022 Semester addressed the exceptional circumstances arising from EU response to the COVID-19 crisis. The 2023 Semester also recognised the consequential impact of the war in the Ukraine. In this way, while the scope of policy co-ordination has returned to a broad perspective on economic and employment policy co-ordination it also remains closely aligned to implementation of the Recovery and Resilience Facility.<sup>5</sup> The key features of previous Semester cycles were resumed, such as the submission of National Reform Programmes by the Member States, the preparation of Country Reports by Commission staff, and proposals to the Council for country-specific recommendations. The integration of the European Pillar of Social Rights and the Sustainable Development Goals (SDGs) into the Semester process also continues.

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<sup>2</sup> The EDE network was initiated by the European Commission in 2020 for a period three years, financed under the Rights, Equality and Citizenship Programme of the European Union, <https://ec.europa.eu/social/main.jsp?catId=1532&langId=en>.

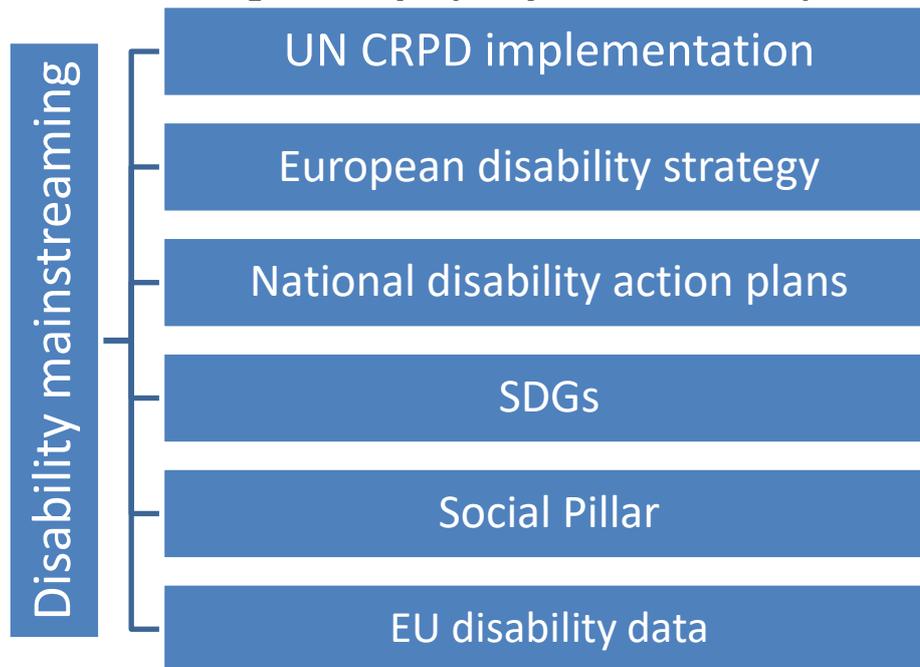
<sup>3</sup> European Council, *A New Strategic Agenda 2019-2024*, <https://www.consilium.europa.eu/media/39914/a-new-strategic-agenda-2019-2024.pdf>.

<sup>4</sup> European Commission, *The 2023 European and Recovery and Resilience Facility integrated processes*, 2022, [https://commission.europa.eu/business-economy-euro/economic-and-fiscal-policy-coordination/european-semester/european-semester-timeline/linking-european-semester-and-recovery-and-resilience-facility\\_en#the-2023-european-semester-and-recovery-and-resilience-facility-integrated-processes](https://commission.europa.eu/business-economy-euro/economic-and-fiscal-policy-coordination/european-semester/european-semester-timeline/linking-european-semester-and-recovery-and-resilience-facility_en#the-2023-european-semester-and-recovery-and-resilience-facility-integrated-processes).

<sup>5</sup> See: [https://commission.europa.eu/business-economy-euro/economic-recovery/recovery-and-resilience-facility\\_en](https://commission.europa.eu/business-economy-euro/economic-recovery/recovery-and-resilience-facility_en).

From a disability perspective, the Semester process should give due regard to mainstreaming disability equality in all aspects.<sup>6</sup> Disability concerns and data should be visible at each stage of the policy cycle. This coverage should align, where possible, with the European Disability Strategy, with national disability strategies and actions plans, and with implementation of the United Nations Convention on the Rights of Persons with Disabilities (CRPD) in Europe. These are some of the key challenges addressed in this synthesis report.

**Figure 1: Mainstreaming disability equality in the Semester process**



The European Pillar of Social Rights has been embedded in the European Semester since 2017. Stakeholders, social partners and civil society welcomed the European Pillar of Social Rights Action Plan and committed to 2030 social targets in Porto in May 2021.<sup>7</sup> The Action Plan was also welcomed in the Porto Social Summit by the EU Heads of State and Government. The European Pillar of Social Rights Action Plan set three new measurable social targets for 2030 – to achieve overall employment of 78%, at least 60% of adults participating in training, and at least 15 million fewer people at risk of poverty or social exclusion. The revised Social Scoreboard introduced an indicator of the disability employment gap.<sup>8</sup> In the June 2021 EPSCO Council, the Ministers of Employment and Social Affairs, committed to the implementation of the Pillar Action Plan, and to set national targets that contribute to the common targets. The fifth anniversary of the Social Pillar was marked in November 2022 with a strong focus on equal opportunities and access to the labour market.

<sup>6</sup> Priestley, M. (2012) 'Disability policies and the Open Methods of Co-ordination', in Quinn, G. and Waddington, L. (eds), *European Yearbook of Disability Law*, Volume 3, pp. 7-34.

<sup>7</sup> European Commission, *The European Pillar of Social Rights Action Plan*, <https://op.europa.eu/webpub/empl/european-pillar-of-social-rights/en/>.

<sup>8</sup> Eurostat, *Social Scoreboard of Indicators*, <https://ec.europa.eu/eurostat/web/european-pillar-of-social-rights/scoreboard>.

Since 2019, there have been moves to align policy objectives in the Semester with EU commitments to the SDGs.<sup>9</sup> In practice, this means that the Semester process considers relevant SDG targets and indicators in setting priorities and monitoring progress. While the SDGs are wide ranging the focus of the Semester is mainly on economic and employment aspects. This is reflected, for example, in the Commission Country Reports, which include an assessment of each member state's progress towards the SDGs. From a disability perspective, the most relevant SDGs concern education (Goal 4), inclusive growth and employment (Goal 8), social and political inclusion (Goal 11), and disaggregated data collection (Goal 17).<sup>10</sup> For example, the SDG indicators require disaggregation of poverty, employment and urban accessibility data collection. It is also worth noting, in context of the 2023 Semester, that Goal 7 on ensuring 'access to energy for all' is relevant to the disproportionate difficulties persons with disabilities may face in paying household energy bills.<sup>11</sup>

In March 2021, the Commission adopted a new ten-year Strategy on the Rights of Persons with Disabilities 2021-2030.<sup>12</sup> This Strategy aims to improve the lives of persons with disabilities in the coming decade, in the EU and beyond. The objectives of this Strategy can only be reached through coordinated action at both national and EU level, with a strong commitment from Member States and regional and local authorities to deliver on the actions proposed by the Commission. The Semester cycle provides an opportunity to assess how wider policy co-ordination is being aligning with this Strategy. The Strategy includes a number of flagship initiatives that are relevant to policy co-ordination in the Semester process. For example, in 2023-2024 these include a focus on improvements in independent living and inclusion in the community, a proposed framework for social services of excellence, and the launch of a package to improve labour market outcomes of persons with disabilities.

There have been marked improvements in the extent to which Member States and the EU have mainstreamed disability equality in the Semester process. Annual reporting by the Academic Network of European Disability experts (ANED) helped the Commission to raise the profile of disability data in its Country Reports in the period to 2020, which supported EU implementation of the CRPD and helped to increase Member States' attention to disability policies.<sup>13</sup> An increasing level of disability mainstreaming was evident in the Semester documents leading up to the COVID-19 crisis in 2020 but was somewhat obscured by the focus on macro-level recovery, and by the social and economic impacts of the war in Ukraine in 2022. Maintaining a focus on disability equality in competition with significant macro-policy concerns remains a challenge, as it does for other dimensions of equality mainstreaming. Nevertheless,

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<sup>9</sup> European Commission, *European Semester and the United Nations Sustainable Development Goals*, 2019,

[https://ec.europa.eu/commission/presscorner/api/files/attachment/859796/Semester\\_SDGs.pdf](https://ec.europa.eu/commission/presscorner/api/files/attachment/859796/Semester_SDGs.pdf).

<sup>10</sup> UN DESA, *UN Flagship Report on Disability and Sustainable Development Goals*, <https://www.un.org/development/desa/disabilities/publication-disability-sdgs.html>.

<sup>11</sup> UN DESA, *Energy and Disability*, <https://www.un.org/development/desa/disabilities/wp-content/uploads/sites/15/2021/12/SDG-07-Energy-Infographic.pdf>.

<sup>12</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on 'Union of Equality: Strategy for the Rights of Persons with Disabilities 2021-2030', COM/2021/101 final.

<sup>13</sup> Priestley, M. (2020) *Mainstreaming disability equality in the European Semester 2019-20: policy issues and questions*, ANED, Utrecht/Leeds, <https://www.disability-europe.net/downloads/1041-task-eu2020-year-4-synthesis-report>.

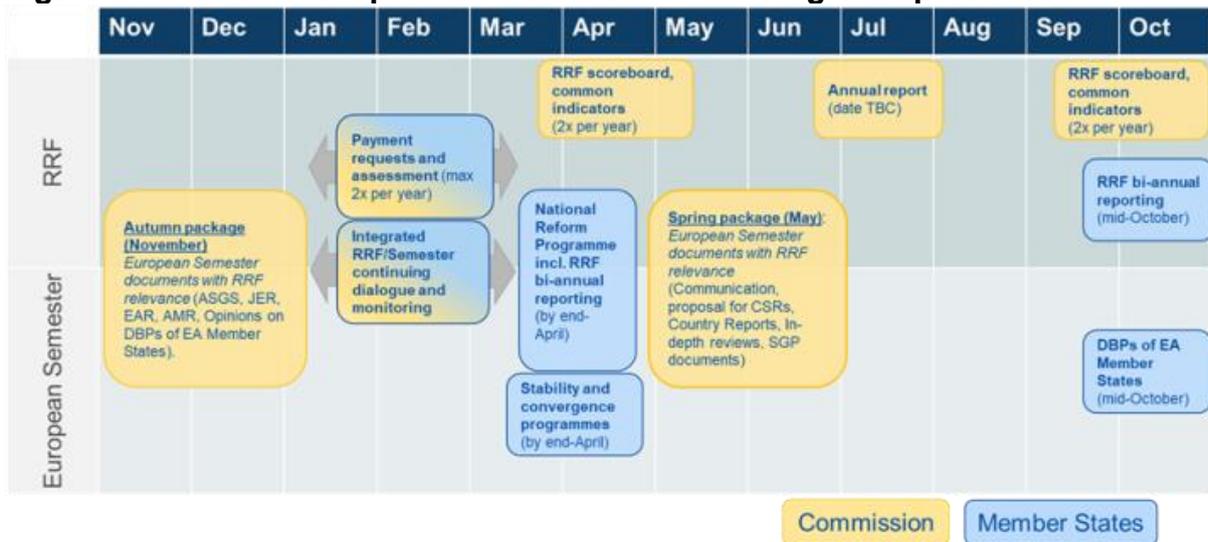
there are positive indications that disability equality is now well established as a relevant policy concern in the Semester process.

This synthesis report sets the scene for the 2024 Semester cycle, drawing on national reviews carried out in 2022, updates to Member States’ disability policies, document packages published during the Autumn and Spring of the 2023 Semester cycle, and data newly available from Eurostat. It considers past trends and identifies future challenges as a basis for Commission input to the 2024 policy cycle, commencing in the Autumn of 2023.

### 1.1 An introduction to the 2023 Semester

As mentioned above, the co-ordination cycle of the Semester returned towards a familiar pattern from 2022, and in 2023 all the previous elements were included. National Reform Programmes were published in Spring 2023 (see Section 1.10), with streamlined analytical Country Reports prepared by Commission staff, leading to proposals for new Country Specific Recommendations (CSRs) to each Member State. The process is illustrated by the Commission as shown below.

**Figure 2: The 2023 European Semester and RRF integrated processes**



The streamlining of the Semester, in response to the COVID-19 crisis, posed some challenges to disability equality mainstreaming (and other dimensions of equality mainstreaming). The reporting requirements were reduced and there was an overriding priority to address the macro-economic imbalances. However, evidence of excess deaths and acute limitations in support services during the pandemic also highlighted persons with disabilities as a priority risk group, notably those living in institutions.<sup>14</sup> These issues were assessed last year in reviewing the 2022 Semester. In some ways, this echoed concerns raised in the Semesters following the post-2008 financial crisis, where there was a risk of losing focus on specific issues like disability equality or gender equality. While there were fewer opportunities in the Semester

<sup>14</sup> Shakespeare, T., Ndagire, F., & Seketi, Q. E. (2021). Triple jeopardy: disabled people and the COVID-19 pandemic. *Lancet (London, England)*, 397 (10282), 1331-1333, [https://doi.org/10.1016/S0140-6736\(21\)00625-5](https://doi.org/10.1016/S0140-6736(21)00625-5).

process to headline disability policy developments in the Member States, a good level of visibility and numerous examples of good practice were observed in the 2021 and 2022 Semesters. This suggests that disability equality has become more robustly embedded in EU policy co-ordination now than it was a decade or more ago.

In a similar way, the socio-economic challenges arising from the war in Ukraine have affected policy priorities over the past year, and for the 2023 Semester. While the new priorities again require a deviation from ‘business as usual’ they also raise concerns that have relevance from the disability perspective. In particular, the impact of household energy costs and other cost of living pressures is of particular concern, giving that households including persons with disabilities are at disproportionate risk of financial poverty. These issues are analysed in detail later.

The budgetary prioritisation decisions made during the 2021 Semester continue to shape the implementation of once-in-a-generation investments, supplemented in 2023 with a particular focus on energy security in response to the war in Ukraine. The long-term budget (Multiannual Financial Framework, MFF) adopted in December 2020 for the period 2021-2027, together with the NextGenerationEU recovery instrument, amounted to more than EUR 2 trillion.<sup>15</sup> The largest pillar of these combined resources supports ‘Cohesion, Resilience and Values’ among EU Member States. This includes the European Social Fund+ (ESF+) to support youth employment, up- and re-skilling of workers, and poverty reduction, as well as the Recovery and Resilience Facility (RRF) and REACT-EU, the two main programmes under NextGenerationEU.<sup>16</sup> The launch of the REPowerEU plan in 2022, to increase energy security and sustainability, added a further EUR 210 billion facility in the budgetary period to 2027.<sup>17</sup>

These major investments include several elements of relevance to the inclusion of persons with disabilities (such as new public transport services, digitalisation of government and business sectors, and the reform of public services). Failure to address accessibility and inclusion for persons with disabilities in such investments would be a missed opportunity with lasting impacts. Monitoring the implementation of Member States’ Recovery and Resilience Plans, in the context of new National Reform Programmes, is therefore important analysing in the current Semester from a disability perspective.

The following sections of this report evidence the progress of the 2023 Semester from November 2022 to May 2023, with a review of disability equality mainstreaming in the Autumn and Spring packages. This includes an assessment of EU level reporting, such as the Annual Sustainable Growth Strategy and Joint Employment Report, and a preliminary review of Member States reporting by the, including the new National Reform Programmes and implementation highlights from their Recovery and Resilience Plans. This overview provides a basis to support Commission input to the next Semester cycle for 2024.

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<sup>15</sup> European Union, *NextGenerationEU: Make it Real*, [https://europa.eu/next-generation-eu/index\\_en](https://europa.eu/next-generation-eu/index_en).

<sup>16</sup> European Commission (2021), *Headings: expenditure categories*, [https://ec.europa.eu/info/strategy/eu-budget/long-term-eu-budget/2021-2027/spending/headings\\_en](https://ec.europa.eu/info/strategy/eu-budget/long-term-eu-budget/2021-2027/spending/headings_en).

<sup>17</sup> European Commission, *REPowerEU Plan*, COM(2022) 230 final, 2022, <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52022DC0230>.

## 1.2 Challenges identified in the EDE country fiches

In summer 2021 and 2022, national experts from the EDE network submitted disability country fiches to inform Commission staff input to the autumn phase of the Semester cycle. The following issues were among those highlighted by the EDE country experts for consideration during these two cycles of their reviews, and illustrate the range of challenges and developments relevant to mainstreaming disability equality in the policy co-ordination process:<sup>18</sup>

| MS | Labour market  | Social policies   | Education and skills  |
|----|--|---|---|
| AT | <ul style="list-style-type: none"> <li>• Participation in the open labour market remains a challenge.</li> <li>• The disability unemployment rate decreases slightly but remains significantly higher than for others.</li> <li>• Access to the general labour market is particularly difficult for persons with more severe disabilities.</li> <li>• There is no systematic strategy to counteract the significant increase in persons who attend sheltered workshops.</li> <li>• Constitutional fragmentation of competencies makes data collection, evaluation and planning difficult, and produces barriers for transition to a more inclusive labour market.</li> </ul> | <ul style="list-style-type: none"> <li>• Need to adapt healthcare and social policies to challenges raised by COVID-19.</li> <li>• Political will needed to implement measures to include persons with disabilities in society.</li> <li>• Challenges facing the new National Action Plan 2022-2030 hamper necessary reform of social policies.</li> <li>• Continuation of institutionalisation and lack of action plans to address this.</li> <li>• Scope to make more use of the Basic Social Welfare Law.</li> <li>• Need for accessible housing.</li> <li>• New segregating institutions built and co-funded by EAFRD.</li> </ul> | <ul style="list-style-type: none"> <li>• Lack of detailed and meaningful data on the educational situation of children with disabilities.</li> <li>• Recent findings indicate a backwards development with regard to inclusion and equal access to education, particularly for those with more severe disabilities.</li> <li>• Tendency to rely on special schools and special vocational institutions in a parallel segregative system,</li> <li>• Lack of distinct responsibility for children with disabilities.</li> <li>• Large differences in inclusive education between regions.</li> </ul> |
| BE | <ul style="list-style-type: none"> <li>• Employment measures, such as reintegration, subsidisation, and quota obligations lack effectiveness.</li> <li>• Existing investments retain segregated provision but shortages are in the open labour could drive inclusion.</li> <li>• Division of responsibilities over regions and communities create barriers to information and support.</li> <li>• Communication gaps between medical and employment services.</li> </ul>   | <ul style="list-style-type: none"> <li>• Non-take-up of disability benefits and support.</li> <li>• Alarming increase of people with mental health conditions in the social security statistics.</li> <li>• Monitor lowering of entitlement age for income replacement and integration allowances from 21 to 18.</li> <li>• Optimize the sixth state reform to extend additional subsidy channels to persons with disabilities not covered by</li> </ul>  | <ul style="list-style-type: none"> <li>• Increase efficiency of support for students with disabilities in inclusive settings.</li> <li>• Investments largely go to special education settings.</li> <li>• Although initiatives have been taken in all regions, these have not achieved real change.</li> <li>• Low level of digital literacy of children with disabilities requires close monitoring.</li> </ul>  |

<sup>18</sup> A third round of country level reviews in 2023 was not envisaged in the service contract for EDE. No updated country fiche for Luxembourg was available in 2022.

| MS        | Labour market  | Social policies   | Education and skills   |
|-----------|--|---|--|
|           | <ul style="list-style-type: none"> <li>Attention needed to job retention.</li> <li>Persistence of sheltered workshops.</li> </ul>  | <ul style="list-style-type: none"> <li>unemployment insurance.</li> <li>Develop alternatives in long-term care, such as personal assistance and support for informal carers.</li> </ul>   | <ul style="list-style-type: none"> <li>Access to Higher Education remains a significant challenge.</li> </ul>  |
| <b>BG</b> | <ul style="list-style-type: none"> <li>Policies fail to support effective measures in the open labour market.</li> <li>Reliance on EU funded projects for vocational training and employment.</li> <li>Significant spending on outdated sheltered employment.</li> <li>Lack of vocational training matching the needs of the labour market.</li> <li>Low hiring rate success resulting from the employment quota system.</li> </ul>                                    | <ul style="list-style-type: none"> <li>Financial support is very low, and covers limited number of people.</li> <li>Social services supporting independent living are not well developed.</li> <li>Training of personal assistants and quality assessment for this service are lacking.</li> <li>Re-institutionalisation of social support due to lack of community-based services.</li> <li>Requires a focus on development of independent living services, social housing and community services.</li> </ul>                | <ul style="list-style-type: none"> <li>Little data about the number of children enrolled in mainstream schools.</li> <li>Quality inclusive education limited by assessment process and insufficient resources.</li> <li>Functional assessment of children not routinely applied and human and financial resources insufficient.</li> </ul>   |
| <b>CY</b> | <ul style="list-style-type: none"> <li>Economic activity remains low and unemployment high.</li> <li>The Disability Strategy and Action Plan 2021-2023 includes measures to address employment and vocational training.</li> <li>Quota policies have not yet been extended to the private sector.</li> <li>Employment and vocational training schemes need to be reinforced.</li> <li>Employer awareness and workplace accessibility could be strengthened.</li> </ul> | <ul style="list-style-type: none"> <li>Division of responsibility for disability benefits between Ministries.</li> <li>Supported living projects received extended funding but lacking provision for family respite or private housing accessibility.</li> <li>Existing efforts of de-institutionalisation are fragmented.</li> <li>National Disability Plan maintains smaller scale institutionalisation.</li> <li>Greater scrutiny of the implementation of supported and independent living projects is needed.</li> </ul> | <ul style="list-style-type: none"> <li>Lack of progress on reform towards inclusive education.</li> <li>Lack of consensus between stakeholders.</li> <li>RRP investments still focused on Special Schools.</li> <li>Challenges in the recruitment of special education support staff (escorts).</li> <li>Establishment of an 'assessment Centre for Special Education.</li> <li>The establishment of day care centres for children with disabilities is foreseen.</li> </ul> |
| <b>CZ</b> | <ul style="list-style-type: none"> <li>Participation of persons with disabilities in the open labour market remains unsatisfactory.</li> <li>Effectiveness of support provided by the Labour Office remains limited despite increased funding.</li> </ul>  | <ul style="list-style-type: none"> <li>National strategies do not exert sufficient pressure on service providers for transformative deinstitutionalisation.</li> <li>Promotion and awareness raising</li> </ul>   | <ul style="list-style-type: none"> <li>The number of learners with disabilities in mainstream education is steadily increasing.</li> <li>Many children with special educational needs still educated outside mainstream.</li> </ul>  |

| MS | Labour market   | Social policies   | Education and skills  |
|----|---|---|---|
|    | <ul style="list-style-type: none"> <li>Strengthening disability expertise is needed in public employment services.</li> <li>Employment of persons with disabilities in public sector remains limited.</li> <li>Segregative employment persists.</li> </ul>  | <p>offered is not enough to achieve the goals.</p> <ul style="list-style-type: none"> <li>Residential facilities which provide care for children with disabilities fall short of standards.</li> <li>Older persons with disabilities at high risk of poverty.</li> <li>Despite EU investments, progress towards community-based services remains unsatisfactory.</li> <li>EU funding used for the construction and reconstruction of large residential facilities.</li> </ul> | <ul style="list-style-type: none"> <li>Inequalities in education remain a significant challenge for disability inclusion.</li> <li>Lack of disability knowledge and skills among teachers in mainstream schools.</li> <li>A focus on digital skills requires attention to accessibility.</li> </ul>   |
| DE | <ul style="list-style-type: none"> <li>Participation in the labour market is low and unemployment is high.</li> <li>More than 300 000 persons are employed in sheltered workshops without full labour rights or minimum wage.</li> <li>Efforts to increase transition options to the general labour market need to be improved and monitored.</li> <li>Many enterprises fail their quota obligations.</li> <li>A general right to reasonable workplace accommodation and a workplace accessibility regulation are still missing.</li> <li>Broad implementation of the 'Budget for Work' is needed.</li> </ul> | <ul style="list-style-type: none"> <li>The risk of poverty for persons with disabilities of working age is more than double that for other persons.</li> <li>Pensions for persons with reduced earning capacity are often insufficient.</li> <li>The division between public and private health insurance system remains a problem.</li> <li>Demographic ageing trends present a challenge for provision of accessible housing</li> </ul>                                     | <ul style="list-style-type: none"> <li>An inclusive school system has still not been achieved.</li> <li>Reforms to close special schools and invest in inclusive schools progress slowly.</li> <li>Significant inequalities in educational qualifications result from this.</li> <li>Unclear division of responsibilities for reasonable accommodation and accessibility in the educational sector.</li> <li>Many young persons with disabilities are not eligible for the budget for vocational training.</li> <li>Segregation of early childcare is evident.</li> </ul> |
| DK | <ul style="list-style-type: none"> <li>Employment has progressed and the gap narrows.</li> <li>There is a wide employment gap for people with intellectual impairments and mental health conditions.</li> <li>Reforms on employment support are needed to balance the emphasis on conditionality.</li> </ul>  | <ul style="list-style-type: none"> <li>Consideration of personalised budgets is needed to promote independence.</li> <li>There are concerns about re-institutionalisation in larger residential facilities.</li> <li>There is inconsistency in transition from provision of support for disabled children and adults.</li> </ul>  | <ul style="list-style-type: none"> <li>Historic reforms from the appear to have had mixed results.</li> <li>Plans for inclusion in regular primary schools have had contrary outcomes.</li> <li>Lack of focus on disability in national child-focused policy.</li> <li>There has been success in some areas.</li> </ul>   |

| MS | Labour market  | Social policies  | Education and skills   |
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| EE | <ul style="list-style-type: none"> <li>Participation is encouraging but the employment gap remains wide.</li> <li>While the range of employment services offered is broad, the numbers of beneficiaries are still relatively low.</li> <li>Few cases are funded for adjustment and accommodation of the working place.</li> <li>Continued implementation of the Work Ability Reform needs to be monitored.</li> </ul>  | <ul style="list-style-type: none"> <li>Risk of poverty remains largely stable despite policy measures.</li> <li>Unmet needs for medical examination are well above the EU average.</li> <li>Access to social benefits for disabled children has been limited.</li> <li>Roll-out of person-centred coordination model for persons with higher care needs to be monitored.</li> <li>Some deinstitutionalisation plans were postponed due to lack of community-based alternatives.</li> </ul> | <ul style="list-style-type: none"> <li>Early school leaving is still high, and tertiary education completion is still low among students with special needs.</li> <li>COVID-19 increased mental health challenges.</li> <li>Segregated learning continues in some school subjects.</li> <li>There has been a lack of support staff in schools to meet needs.</li> <li>Education of teachers remains a bottleneck.</li> </ul>   |
| EL | <ul style="list-style-type: none"> <li>The employment situation has not improved.</li> <li>The disability employment gap did not narrow.</li> <li>Persons with disabilities are more likely to be long-term unemployed.</li> <li>Key policies such as quota employment in the public sector, subsidies, and funding for reasonable accommodation, have been reactivated.</li> <li>Lack of policy measures enacting legislation on reasonable accommodation and accessible environments in employment/vocational training.</li> </ul> | <ul style="list-style-type: none"> <li>Poverty risk was significantly reduced after social transfers but material deprivation remains high.</li> <li>Long-term unemployment accounted for a significant share of poverty risk.</li> <li>Low investment in long-term care.</li> <li>National Strategy on Social Inclusion and Poverty Reduction (2022) must be monitored.</li> <li>Progress on deinstitutionalisation has slowed.</li> </ul>  | <ul style="list-style-type: none"> <li>While most pupils attend mainstream school units, a large share receives education in separate classes.</li> <li>Gaps in staffing which result in disrupted schooling are reported.</li> <li>Access to mainstream vocational education/apprenticeship schemes needs to be monitored.</li> <li>Low completion of secondary and tertiary education affects access to employment and risk of poverty.</li> <li>Built environment accessibility has improved as local authorities have utilised available funding.</li> </ul> |
| ES | <ul style="list-style-type: none"> <li>Activity and employment rates remain very low.</li> <li>Long-term unemployed and insecure employment are also persistent.</li> <li>Violations of reserved jobs should be closely monitored.</li> </ul>  | <ul style="list-style-type: none"> <li>Aid for personal care and accompaniment at home is scarce in quantity and quality.</li> <li>Social benefits to compensate for the additional costs of disability are needed.</li> <li>In regional legislation, budget items with</li> </ul>   | <ul style="list-style-type: none"> <li>Early school leaving rates are very high.</li> <li>Participation in tertiary studies remains a challenge.</li> <li>Vocational training offers opportunities for inclusive education and employability.</li> </ul>   |

| MS | Labour market  | Social policies  | Education and skills   |
|----|--|--|--|
|    | <ul style="list-style-type: none"> <li>• Teleworking and flexible working is opening new opportunities .</li> <li>• Policies to strengthen financing and guarantee the viability of third sector entities and companies are needed.</li> </ul>   | <ul style="list-style-type: none"> <li>• specific mention of persons with disabilities are few.</li> <li>• The pandemic and the war in Ukraine have negatively impacted the social situation.</li> <li>• Ensure and monitor quality of healthcare and social services, and promote deinstitutionalisation.</li> </ul>  | <ul style="list-style-type: none"> <li>• People with intellectual disabilities have the greatest disadvantage.</li> <li>• Reform special education centres into resource centres.</li> <li>• Lacking legislative framework to promote inclusion.</li> </ul>  |
| FI | <ul style="list-style-type: none"> <li>• Employment of persons with disabilities is still a challenge.</li> <li>• New system is expected to improve employment opportunities of persons with intellectual disabilities.</li> <li>• Reform the subsidy system.</li> <li>• Support re-employment of those who were unemployed due to pandemic.</li> </ul>    | <ul style="list-style-type: none"> <li>• SOTE (nation-wide administrative structure) reform includes reform of the Act on Disability Services in 2023.</li> <li>• Monitor movement of disability services to the new self-governing authorities.</li> <li>• Wide-spread inequalities in terms of implementation of disability services among municipalities continues to be problematic.</li> <li>• The government programme included measures on the rights of Deaf persons and Sign community.</li> </ul>  | <ul style="list-style-type: none"> <li>• Inclusive education continues to be a challenge for schools.</li> <li>• Inclusion is misunderstood as physical integration without necessary support, rather than as a human rights issue.</li> <li>• Monitor impact of extension of compulsory schooling to high schools.</li> </ul>   |
| FR | <ul style="list-style-type: none"> <li>• Activity rate has increased, unemployment remains a challenge.</li> <li>• A focus on competencies rather than compensation is needed.</li> <li>• Impact of supported employment measures in the light of crises.</li> <li>• Connect teleworking and digital accessibility to employment opportunities.</li> </ul> | <ul style="list-style-type: none"> <li>• The risk of poverty remains significant.</li> <li>• Access to health and welfare services as well as to technical aids needs development.</li> <li>• Transform specialised institutes and the socio-medical sector into services in resources centres supporting mainstream settings.</li> <li>• More inclusive housing services are needed.</li> <li>• Impact of funding mechanisms for specialist provision and disability support since 2018.</li> <li>• Housing opportunities persons with disabilities in the light of reforms undertaken</li> </ul> | <ul style="list-style-type: none"> <li>• Data showing an increasing number of children with an official decision of support in school.</li> <li>• Early leaving still a challenge.</li> <li>• Impact of initiatives taken to support transition from specialist to mainstream schools.</li> <li>• Impact of revamped individual learning account started in 2019.</li> </ul> |

| MS | Labour market   | Social policies   | Education and skills   |
|----|---|---|--|
| HR | <ul style="list-style-type: none"> <li>Labour market participation of persons with disabilities remains well below the EU average.</li> <li>Challenge to increase employment via the quota system and incentives.</li> <li>More flexible forms of employment based on the Labour Act ('smartworking').</li> <li>Reallocation of costs for employment of persons with disabilities during COVID crisis.</li> <li>Review employment in sheltered workshops (numbers, trends, types of activities, problems).</li> </ul> | <ul style="list-style-type: none"> <li>The Personal Assistants Act is an important development.</li> <li>Policy measures for different groups (different measures for war veterans and other groups).</li> <li>Implementation of independent living concept and improvement of services for long term care (limited opportunities for living in community).</li> <li>Transition of financing from projects to local, regional or state budgets (or other stable financial scheme).</li> <li>Lack of evaluation and monitoring of long-term residence care (especially in private institutions).</li> <li>Lack of professional staff in healthcare – generally and regional differences.</li> <li>E-Government tools for persons with disabilities (digital skills, equipment, quality of internet connection).</li> </ul> | <ul style="list-style-type: none"> <li>Including more children in kindergarten should be a priority.</li> <li>Low labour market skills among persons with disabilities.</li> <li>Barriers to the inclusion in on-line education (at all levels).</li> <li>Opportunities and barriers for adult students at regional centres of competence in VET.</li> <li>Segregated VET schools for persons with disabilities.</li> <li>Implementation of teaching assistance scheme.</li> </ul> |
| HU | <ul style="list-style-type: none"> <li>Improvement in labour market but widening of employment gap.</li> <li>Improve targeted active labour market measures.</li> <li>Improve participation in public work schemes.</li> <li>Improve participation in transition programs from public work to the primary labour market.</li> </ul>   | <ul style="list-style-type: none"> <li>Deinstitutionalisation remains the key priority.</li> <li>EU funded improvements to healthcare but community-based care facilities and quality require improvement.</li> <li>Cash benefits have stagnated adding poverty risk.</li> <li>Decrease deprivation rates of children with disabilities.</li> <li>General improvement of the social safety net aimed at persons with disabilities needed.</li> <li>Strengthening primary care services.</li> </ul>  | <ul style="list-style-type: none"> <li>Improve educational outcomes at all levels.</li> <li>Ensure inclusive outcomes from general reforms.</li> <li>Need for more educational professionals.</li> <li>Elaborate special measures for children with disabilities in the framework of the vocational education and training reform.</li> <li>Decrease early school-leaving of children with disabilities.</li> </ul>  |
| IE | <ul style="list-style-type: none"> <li>The disability employment gap remains very wide.</li> </ul>  | <ul style="list-style-type: none"> <li>Disability Capacity Review and Disability Action Framework to</li> </ul>   | <ul style="list-style-type: none"> <li>Access and affordability of early childhood education</li> </ul>  |

| MS | Labour market   | Social policies  | Education and skills  |
|----|---|--|---|
|    | <ul style="list-style-type: none"> <li>Progress through the Pathways to Work Strategy 2021-2025.</li> <li>Audit the workplace experience programme for accessibility and reasonable accommodation.</li> <li>Address extra cost of disability and barriers to employment.</li> <li>Funding supports for education, training and transition to employment.</li> </ul>                                     | <ul style="list-style-type: none"> <li>reform services in line with CRPD.</li> <li>Slow progress on deinstitutionalisation.</li> <li>Address the poverty and social exclusion of persons with disabilities.</li> <li>Lack of evaluation or update of social inclusion measures by local authorities despite funding for relevant measures.</li> <li>Progress review, target setting and action plans for implementation of policies.</li> <li>Monitor progress on Mental Health Policy for Everyone and Housing Strategy for Disabled People.</li> </ul> | <ul style="list-style-type: none"> <li>and care is a challenge.</li> <li>Need to complete Part 2 of the Disability Act to join up support in education settings.</li> <li>Lack of funding for students with disabilities who are under-represented on part-time courses.</li> <li>Monitor support to apprenticeships scheme.</li> <li>Need to restore and strengthen career guidance within special education and mainstream settings.</li> </ul> |
| IT | <ul style="list-style-type: none"> <li>Employment remains a critical issue post-pandemic.</li> <li>Monitor outcome of new Guidelines for targeted employment and law 68/1999.</li> <li>Workplace accessibility and reasonable accommodation.</li> <li>Disability and discrimination in the workplace: legal framework and case-law.</li> </ul>  | <ul style="list-style-type: none"> <li>Accelerate the process of deinstitutionalisation, with community and home-based social and health services.</li> <li>Complete review of the disability assessment procedures.</li> <li>Disability and minimum income.</li> <li>Implement law 134/2015 (diagnosis, treatment and qualification of people with autism).</li> <li>Intra-regional disparities regarding the policies on independent living.</li> </ul>  | <ul style="list-style-type: none"> <li>Substantial territorial gap in the accessibility of school buildings.</li> <li>Training for support teachers.</li> <li>Continuing growth in the number of students with disabilities enrolled in universities.</li> <li>Lack of early childhood education and care impacts on caregivers' (mainly for women).</li> <li>E-learning accessibility and digital divide.</li> </ul>                             |
| LT | <ul style="list-style-type: none"> <li>Unemployment remains a significant challenge, and low employment compared with EU average.</li> <li>Lack of strategies to address this challenge.</li> <li>Need for personal assistants at work.</li> <li>Improve and increase supported employment services and harmonise wage subsidies in the Law of Employment and the Law of Social Enterprises.</li> </ul> | <ul style="list-style-type: none"> <li>Accelerate transition of social services from one-size-fits-all to personalised and targeted services.</li> <li>Public spending on social protection is relatively low.</li> <li>Monitor and speed up the deinstitutionalisation process.</li> <li>Risk of poverty or social exclusion but increased allowances since COVID-19.</li> </ul>  | <ul style="list-style-type: none"> <li>Commitment to inclusive education but implementation remains a challenge.</li> <li>Shortage of suitable staff, including assistants.</li> <li>Accessibility of educational institutions for persons with disabilities.</li> </ul>  |

| MS        | Labour market   | Social policies   | Education and skills  |
|-----------|---|---|---|
| LU (2021) | <ul style="list-style-type: none"> <li>Participation of persons with disabilities in the labour market following the national plan for smart, sustainable and inclusive growth and the recent reform programmes.</li> </ul>   | <ul style="list-style-type: none"> <li>Older healthcare institutions remain only partly accessible.</li> <li>Access to the health system in times of COVID-19.</li> <li>Transition to a new national support system (from RMG to REVIS).</li> <li>Exclusion from voting rights, equality in legal matters, etc.</li> </ul>  | <ul style="list-style-type: none"> <li>Formal abolition of the special education system (education différenciée) in favour of a competence centred approach.</li> </ul>   |
| LV        | <ul style="list-style-type: none"> <li>The employment rate improved but more people indicate disability as a reason for not working.</li> <li>New support measures for employers in social enterprises.</li> <li>Monitor implementation of consultative support centre launched in 2022.</li> <li>Subsidised employment for persons with disabilities.</li> <li>Social enterprises.</li> <li>Improve disability employment data.</li> </ul> | <ul style="list-style-type: none"> <li>Speed up response to the growing disability poverty gap.</li> <li>Uplift and index inadequate social security benefits.</li> <li>Need for additional cost of living allowances for mobility and care.</li> <li>Monitor outcomes of the Plan for the Improvement and Development of Social Services.</li> <li>Deficiencies in access to and quality of health care.</li> <li>Deinstitutionalisation and regional reform.</li> </ul>   | <ul style="list-style-type: none"> <li>Incomplete data on disability and education.</li> <li>Include data on persons with disabilities in the National Education Information System.</li> <li>Children studying in special education programmes in general education institutions continues to increase.</li> <li>Special education after regional reform.</li> <li>Access to vocational education.</li> </ul>  |
| MT        | <ul style="list-style-type: none"> <li>Low disability employment rate.</li> <li>Action needed on the national disability strategy employment objective.</li> <li>Quota system does not effectively impact SMEs.</li> <li>Evidence of awareness raising with employers.</li> <li>Further disaggregation of national labour market statistics.</li> <li>Impact of the extension of the In-work Benefit Scheme.</li> </ul>                     | <ul style="list-style-type: none"> <li>Increase efforts to move away from institutionalised care and invest more in community services and Personal Assistance.</li> <li>A Deinstitutionalisation Strategy is urgently required.</li> <li>Data on the impact of the increase in benefits (additional assistance for severe disability, carer's allowance, disabled child allowance and non-contributory medical assistance).</li> <li>Government project of providing a new residential home for adults with disability.</li> <li>The impact of initiatives to reduce dependence on social benefits.</li> </ul> | <ul style="list-style-type: none"> <li>Special units in mainstream schools do not always achieve inclusion.</li> <li>New education law needs to be monitored in relation to CRPD.</li> <li>Children in vulnerable situations face barriers to quality education, including delays in the asylum system.</li> <li>Skills gap for students with disability, especially non-academic studies.</li> <li>Need to involve children with disabilities in decisions affecting them, including individual educational programmes.</li> </ul> |
| NL        | <ul style="list-style-type: none"> <li>The unemployment gap remains high</li> </ul>   | <ul style="list-style-type: none"> <li>Persons with disabilities face a higher risk of</li> </ul>   | <ul style="list-style-type: none"> <li>The number of children with</li> </ul>   |

| MS | Labour market  | Social policies  | Education and skills   |
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|    | <ul style="list-style-type: none"> <li>Persons with disabilities are disproportionately offered short term and flexible contracts.</li> <li>Self-employed people have difficulty in getting affordable insurance for disability.</li> <li>The Job Agreement and Quota system show some positive results for younger people.</li> <li>Extend quota scheme.</li> </ul>   | <ul style="list-style-type: none"> <li>poverty and social exclusion, and this increased.</li> <li>The labour market offers potential to address this for many with appropriate support.</li> <li>Government does not publish statistics specifically on poverty and exclusion of persons with disabilities.</li> </ul>   | <ul style="list-style-type: none"> <li>disabilities referred to special schools is increasing.</li> <li>Preschools are not commonly accessible to children with disabilities.</li> <li>The educational system becomes more segregated not only by disability, but also by migrant status, gender and parents' educational attainment.</li> <li>Few young persons with disabilities gain a formal diploma.</li> </ul>   |
| PL | <ul style="list-style-type: none"> <li>Disability gap in employment remains high but with improvement.</li> <li>Bill on supported employment and its consequences for non-governmental organisations that rely on employment-related projects.</li> <li>Slow progress on the disability assessment reform.</li> <li>Ineffectiveness of labour market measures, including limited transfer from project-based to systemic changes.</li> <li>Lack of transition from education to the open labour market.</li> </ul> | <ul style="list-style-type: none"> <li>National Disability Strategy 2020-2030.</li> <li>Access to rehabilitation impacted by COVID-19.</li> <li>Limited community-based services; Personal Assistance program and access to independent housing.</li> <li>Insufficient support for families, decrease in funding for the long-term care programme 'Care services for disabled persons'.</li> <li>Reform of the Solidarity Fund.</li> <li>Insufficient social benefits.</li> <li>Stagnation of deinstitutionalisation process during COVID-19.</li> <li>Need to monitor the Strategy for the Development of Social Services.</li> </ul> | <ul style="list-style-type: none"> <li>No substantial change with regards to the education of children with moderate and severe disabilities in segregated settings.</li> <li>COVID-related issues in education remain (e-learning, drop out, home education).</li> <li>Rural-urban divide in education.</li> <li>Development of the higher education accessibility programmes.</li> <li>Right to Polish Sign Language bilingual education.</li> <li>As universities progress, vocational training lags behind.</li> </ul> |
| PT | <ul style="list-style-type: none"> <li>Unemployment increased during the COVID-19 crisis, following prior increase in employment.</li> <li>Enforce implementation of the quota system in the public and private sectors, improve the monitoring.</li> <li>Need to reorient vocational training opportunities, adapting to the labour market (e.g.</li> </ul>   | <ul style="list-style-type: none"> <li>Poverty risk is high but has improved.</li> <li>Social policy reforms include a stronger commitment to a community-based approach.</li> <li>Make the Independent Living Scheme a sustainable social policy for independent living.</li> <li>The number of beneficiaries of the</li> </ul>   | <ul style="list-style-type: none"> <li>The number of students with support measures increased across all levels of compulsory education.</li> <li>The number of hours that students with disabilities spend in regular classrooms also increased.</li> <li>The number of students registered in Higher Education</li> </ul>  |

| MS | Labour market  | Social policies  | Education and skills   |
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|    | <p>many persons were being trained for hotel and restaurant sectors, which faced a major crisis).</p> <ul style="list-style-type: none"> <li>Investment in digital skills, relevant to teleworking and new sector jobs.</li> </ul>   | <p>disability social benefit is increasing (PSI).</p> <ul style="list-style-type: none"> <li>Expand and monitor the national scheme for independent living (MAVI-Movimento de Apoio à Vida Independente).</li> </ul>   | <p>Institutions also increased.</p> <ul style="list-style-type: none"> <li>Inadequacy of distance learning modalities for students with disabilities.</li> <li>Development of digital competences must include students with disabilities.</li> </ul>  |
| RO | <ul style="list-style-type: none"> <li>Very low disability employment rate.</li> <li>Implementation of policy reforms needs to be evaluated for outcomes.</li> <li>There is potential in the labour market but challenges to realise this.</li> <li>Discrimination remains pervasive on the labour market.</li> <li>Need a system of assessment of potential employees' abilities and the establishment of vocational profiles.</li> <li>Awareness-raising among employers; labour market mediation services.</li> </ul> | <ul style="list-style-type: none"> <li>Reforms to promote support but levels of poverty and social exclusion still very high.</li> <li>Need to invest in services and support structures across all areas, including general and specialised healthcare services, social services, community-based services, employment and education.</li> <li>Persons with disabilities face significant problems in accessing general and special healthcare services.</li> <li>The segregation of children and adults with disabilities in institutions continues; while some steps forwards have been made, more progress is needed.</li> <li>Slowed progress on deinstitutionalisation.</li> </ul> | <ul style="list-style-type: none"> <li>More than half of Romania's children with disabilities receive education in segregated settings or are completely excluded from the education system.</li> <li>Shortages in teachers and specialised professionals, particularly in the public system.</li> <li>Persons with disabilities are more prone to early school leaving and have lower participation rates in upper secondary and higher education.</li> </ul> |
| SE | <ul style="list-style-type: none"> <li>The disability employment gap widened during the crisis.</li> <li>Active labour market measures are needed.</li> <li>Investments in Samhall (sheltered work) do not align with CRPD.</li> <li>There was a decrease in participants in wage subsidy programmes.</li> </ul>   | <ul style="list-style-type: none"> <li>The number of persons on activity allowances (disability pension for age 18-29) and sickness allowances (age 30-65) decreased in recent years.</li> <li>Measures for persons on sick leave and for young persons with activity compensation.</li> <li>Opportunities for independent living are provided by personal assistance, but the number who are entitled has decreased.</li> </ul>   | <ul style="list-style-type: none"> <li>The level of education has increased but the disability gap in education is still large.</li> <li>It is difficult to track data because schools are not permitted to keep records of disability or health, only of special support in teaching, regardless of the reason.</li> <li>Investment in tertiary education for persons with disabilities.</li> </ul>   |
| SI | <ul style="list-style-type: none"> <li>Investment is needed in the adaptation of working environments.</li> </ul>  | <ul style="list-style-type: none"> <li>An aging population and rising cost of long-</li> </ul>   | <ul style="list-style-type: none"> <li>The RRP 2021-2026 included plans for education reform for</li> </ul>  |

| MS | Labour market   | Social policies   | Education and skills  |
|----|---|---|---|
|    | <ul style="list-style-type: none"> <li>The labour market is inaccessible, especially for people with long-term mental health conditions and intellectual disabilities.</li> <li>The awareness of employers has not improved, and the crises have made this more challenging.</li> <li>It is also not clear how ESF will be used to increase employment and activation measures for young people with disabilities.</li> </ul>   | <ul style="list-style-type: none"> <li>term care present challenges.</li> <li>Comprehensive reforms in health and long-term care in recent years, but outcomes still uncertain.</li> <li>The Personal Assistance Act 2019 and its implementation.</li> <li>Inaccessibility of healthcare for disabled and older people.</li> <li>Social protection benefits do not sufficiently close the disability poverty gap and require review.</li> <li>Action Programme for People with Disabilities 2022-2030 needs a concrete assessment of the realisation of CRPD rights.</li> </ul> | <ul style="list-style-type: none"> <li>children with special needs.</li> <li>Need to replace parallel educational system and institutionalisation of disabled children with deinstitutionalisation and mainstream education.</li> <li>Progress on the right to Slovenian sign language.</li> <li>National education plans need to align with disability plans.</li> </ul>   |
| SK | <ul style="list-style-type: none"> <li>Wide disability employment gap.</li> <li>Measures to support employment remain focused on subsidies for employers rather than individualised services for jobseekers.</li> <li>Public employment services lack capacities to support the most disadvantaged.</li> <li>The high rate of economic inactivity is a challenge.</li> <li>Additional measures needed to promote individualised counselling, job coaching, supported employment.</li> </ul> | <ul style="list-style-type: none"> <li>Continue to implement the reform of integrated socio-health long-term care.</li> <li>Deinstitutionalisation of large-capacity facilities and availability of the outpatient and outreach social services lags.</li> <li>Process of defining new national priorities for social services until 2030 is very relevant.</li> <li>Status of people with intellectual disabilities who are deprived from legal capacity or have limited legal capacity remains challenging.</li> <li>Examples of benefit reform.</li> </ul>                   | <ul style="list-style-type: none"> <li>Inclusion of pupils with disabilities in mainstream education remains a challenge, although the data show positive developments.</li> <li>Pre-primary education is the only level in which there are more children in special, not mainstream.</li> <li>Almost two thirds of all pupils with disabilities at special schools still attend Variant A for pupils with moderate intellectual disabilities.</li> </ul> |

### 1.3 Annual Growth Strategy

The Annual Sustainable Growth Strategy 2023 (ASGS) was published in November 2022.<sup>19</sup> The ASGS sets the broad context for the Semester and priorities. It acknowledges the concerted response to the COVID-19 pandemic, the rapid macro-economic recovery and the impact of the war in Ukraine. It identifies the risks of inflation and cost of living pressures as challenges to otherwise strong labour markets

<sup>19</sup> European Commission (2021) *Annual Sustainable Growth Strategy 2022*, COM(2021) 740 final, [https://commission.europa.eu/publications/2022-european-semester-annual-sustainable-growth-survey\\_en](https://commission.europa.eu/publications/2022-european-semester-annual-sustainable-growth-survey_en).

and public finances. With this in mind, there is a strong incentive to co-ordinate social policies as well as economic ones via the Semester process and the Recovery and Resilience Facility (RRF). The importance of the Union of Equality strategies is underlined in this context,<sup>20</sup> including the Strategy for the Rights of Persons with Disabilities 2021-2030.<sup>21</sup>

The ASGS is based on a framework of ‘four dimensions of competitive sustainability’ – Environmental sustainability, Productivity, Fairness, and Macroeconomic stability. The text of the ASGS refers to disability only once, under the dimension of Fairness, in relation to disadvantaged groups in the labour market:

‘Despite good progress in most Member States, long-standing challenges in relation to the employment of young people, women and disadvantaged groups, such as persons with disabilities, Roma and people with a migrant background – including displaced people from Ukraine – should be addressed with specific and tailored policy actions at national and regional level, and making full and effective use of available EU funding.’ (p. 11)

Nevertheless, all the sub-headings in this part of the ASGS have direct relevance for a disability-focused analysis and are relevant when considering the Member States’ policy plans in 2023. These include, for example:

- employment rates;
- the purchasing power of households;
- energy poverty;
- wage levels;
- skills shortages;
- active labour market policies;
- training and up- and reskilling;
- education and training systems;
- healthcare and long-term care systems;
- social safety nets;
- regional disparities; and
- demographic change.

The ASGS reiterated the need for policies to support the ambition of upward convergence on the 2030 EU headline targets on employment, skills and poverty reduction, and to ensure ‘fair and inclusive growth’ from strategic investments drawing on EU funds. EDE’s Semester reporting has focused mainly on measures by the Member States in these areas – i.e. in the labour market, social policies, and education and training. The Semester also presents possibilities to address social policies beyond income protection (notably in relation to long-term care and health care) and accessibility. The EDE country fiches provide evidence on how persons with disabilities are disproportionately disadvantaged in the Member States and where they might be further supported towards more equal opportunity and participation.

<sup>20</sup> European Commission, *Building a union of equality: Towards a fairer society*, [https://state-of-the-union.ec.europa.eu/building-union-equality\\_en](https://state-of-the-union.ec.europa.eu/building-union-equality_en).

<sup>21</sup> European Commission, *Union of equality: Strategy for the rights of persons with disabilities 2021-2030*, <https://ec.europa.eu/social/main.jsp?catId=1484>.

The joint resolution of the trade unions on the AGS referred to ‘disabled workers’, among others, when emphasising the key role of Public Employment Services in integrating ‘the most vulnerable groups in society’ (p. 2).<sup>22</sup> In further references to the vulnerability of such groups to poverty or social exclusion disability was not mentioned. The joint employers’ statement on the 2023 AGS also made passing reference to households in vulnerable situations, such as high energy bills, but made no direct reference to disability.<sup>23</sup>

The annual review of Employment and Social Developments in Europe for 2022 focused on the challenges for young Europeans, and made little direct reference to disability issues (other than to emphasise the increased risks of marginalisation in childhood).<sup>24</sup> By contrast, the 2021 review, focusing on post-COVID-19 disparities made wide reference to disability issues, including a specific topic focus (Chapter 6.3).<sup>25</sup> It highlighted the impact on disability employment gaps, lack of access to services and to education, and additional costs for persons with disabilities. It emphasised the need for targeted measures to address such barriers to inclusion.

#### 1.4 Draft Budget Plans

As anticipated, there were no direct references to disability in the EU level Autumn Package documents focused on macro-economic and budgetary concerns, such as the 2023 Alert Mechanism report, Euro area recommendation, or Communication on Draft Budgetary Plans. Similarly, there were no references in the economic Surveillance Reports for Greece, Spain, Ireland, Portugal or Cyprus.

There were also no references to disability in the Commission’s opinions on the 2023 Draft Budgetary Plans of the 27 Member States. However, some of these national budgetary plans did include disability-specific measures or policy commitments, and some of these are worthy of assessment. The two most prominent cases were France and Spain, which can be highlighted as examples of disability mainstreaming in the Draft Budgetary Plans.

<sup>22</sup> European Trade Union Confederation, *ETUC for Sustainable Growth and Social Progress: ETUC Resolution adopted at the Executive Committee Meeting of 27-28 October 2022*, [https://commission.europa.eu/system/files/2022-11/EN-Adopted%20resolution-ETUC%20for%20Sustainable%20Growth%20and%20Social%20Progress\\_0.pdf](https://commission.europa.eu/system/files/2022-11/EN-Adopted%20resolution-ETUC%20for%20Sustainable%20Growth%20and%20Social%20Progress_0.pdf).

<sup>23</sup> Business Europe, SME United, SGI Europe, *Annual Sustainable Growth Strategy 2023: Social Partners’ Consultations - Employers’ Views*, 2022, [https://commission.europa.eu/system/files/2022-11/Joint%20employers%27%20statement\\_ASGS\\_consultations\\_13%20October%202022.pdf](https://commission.europa.eu/system/files/2022-11/Joint%20employers%27%20statement_ASGS_consultations_13%20October%202022.pdf).

<sup>24</sup> European Commission, *Employment and Social Developments in Europe: European Year of Youth*, 2022, <https://doi.org/10.2767/229768>.

<sup>25</sup> European Commission, Directorate-General for Employment, Social Affairs and Inclusion, *Employment and social developments in Europe 2021: towards a strong social Europe in the aftermath of the COVID-19 crisis: reducing disparities and addressing distributional impacts: annual review*, Publications Office, 2021, <https://data.europa.eu/doi/10.2767/57771>.

The French 2023 draft budget made several references to disability-relevant measures, including care at home for elderly people, the emergency uplift of disability benefits, and removal of spousal income from the means test for Adult Disability Allowance (AAH).<sup>26</sup> The following broad commitment was also included.

‘The government also intends to strengthen its policies regarding the autonomy and employment of people with disabilities. A national conference on disability issues will be held in the first quarter of 2023 in order to take action in support of universal accessibility, autonomy – especially financial autonomy – for people with disabilities, inclusive education, the overhaul of medical-social structures, better compensation of disability support staff and improvements to work inclusion programmes in standard working environments.’ (p. 28)

The Spanish budget plan also made several references to disability, for example in relation to family allowances.<sup>27</sup> The plan referred to the State Plan for access to housing 2022-2025, which facilitates access to affordable rented accommodation for economically disadvantaged groups, including:

‘to encourage the promotion and/or rehabilitation of residential buildings that are going to be used for affordable rentals for the elderly and people with disabilities; as well as to improve the accessibility of and in our homes, also with special attention to people with disabilities’ (p. 83).

It also highlighted the ‘Inclusive Campus’ initiative ‘to promote inclusive education, reduce the dropout rate of people with disabilities and help universities to respond to the diversity of their students’ (p. 85). Thus:

‘This initiative aims to increase the active presence of people with disabilities at the university, financing activities that promote inclusive education for all and helping universities to respond to the diversity of their students. Subsidies are granted to universities to organize stays in order to facilitate the transition of students with disabilities towards higher studies and thus reduce the early dropout rate in the education and training of said students.’

Among the remaining Member States, the following examples can be noted.

- The Austrian budget included EUR 136 million for unspecified ‘Measures for people with disabilities’, increased from EUR 73 million in 2022 (Table 15).<sup>28</sup>
- The Greek budget included beneficiaries of disability benefits in its ‘support to vulnerable groups’ (p. 54).<sup>29</sup>

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<sup>26</sup> République Française, *Draft Budgetary Plan 2023*, 2022, [https://economy-finance.ec.europa.eu/system/files/2022-10/2023\\_dbp\\_fr\\_en.pdf](https://economy-finance.ec.europa.eu/system/files/2022-10/2023_dbp_fr_en.pdf).

<sup>27</sup> Reino de España, *Plan Presupuestario 2023*, 2022, [https://economy-finance.ec.europa.eu/system/files/2022-10/2023\\_dbp\\_es\\_es.pdf](https://economy-finance.ec.europa.eu/system/files/2022-10/2023_dbp_es_es.pdf).

<sup>28</sup> Federal Ministry of Finance, *Austrian Draft Budgetary Plan 2023*, 2022, [https://economy-finance.ec.europa.eu/system/files/2022-10/2023\\_dbp\\_at\\_en.pdf](https://economy-finance.ec.europa.eu/system/files/2022-10/2023_dbp_at_en.pdf).

<sup>29</sup> Hellenic Republic Ministry of Finance, *Draft Budgetary Plan 2023*, 2022, [https://economy-finance.ec.europa.eu/system/files/2022-10/2023\\_dbp\\_el\\_en.pdf](https://economy-finance.ec.europa.eu/system/files/2022-10/2023_dbp_el_en.pdf).

- The Italian plan included measures such as ‘Funding for transportation aimed at disabled students’ (p. 25), tax benefits for third sector organisations and orphan allowances.<sup>30</sup>
- The Latvian plan budgeted for ‘providing higher material support to households with persons of retirement age and persons with disabilities’ (p. 30).<sup>31</sup>
- The Lithuanian budget increased tax allowances for ‘disabled persons and persons with reduced working capacity’ (p. 16).<sup>32</sup>
- The budget of Luxembourg notes subsidies of ‘Contribution to the salaries of disabled employees allocated to sheltered workshops’ (p.13).<sup>33</sup> Funding for sheltered employment might merit further examination in relation to Article 27 CRPD.
- Malta’s budget noted ‘increased benefits for those with disability while increasing their opportunity to enter the labour market’ (p. 51).<sup>34</sup>
- The budget of Slovenia referred to disability as a factor in targeted support under The Act Determining Temporary Measures to Remedy the Consequences of Higher Living Costs of the Most Vulnerable Population Groups (ZZOUPD) (p. 44).<sup>35</sup>

Passing references were also noted in the budgetary plans for Ireland and The Netherlands. No reference to disability was identified in the remaining Member States.

## 1.5 Planning for investment

Continuing the pattern of the Semester process since 2021, the ASGS emphasised the role of the Recovery and Resilience Facility as an embedded investment mechanism. The Recovery and Resilience Plans of the Member States (RRPs) thus remain an important reference point for assessing the extent and relevance of disability equality mainstreaming in the Semester process. These plans were assessed in the annual EDE disability country fiches (most recently updated in 2022) and are addressed in more detail later.

<sup>30</sup> Ministry of Economy and Finance, *Italy's Draft Budgetary Plan 2023: Updated version*, 2022, [https://economy-finance.ec.europa.eu/system/files/2022-12/2023\\_dbp\\_it\\_update\\_en.pdf](https://economy-finance.ec.europa.eu/system/files/2022-12/2023_dbp_it_update_en.pdf).

<sup>31</sup> Finance Ministry, *Draft Budgetary Plan of the Republic of Latvia 2023* (updated), 2023, [https://economy-finance.ec.europa.eu/system/files/2023-02/2023\\_dbp\\_lv\\_update\\_en.pdf](https://economy-finance.ec.europa.eu/system/files/2023-02/2023_dbp_lv_update_en.pdf).

<sup>32</sup> Ministry of Finance of the Republic of Lithuania, *2023 Lithuanian Draft Budgetary Plan*, 2022, [https://economy-finance.ec.europa.eu/system/files/2022-12/2023\\_dbp\\_lt\\_en.pdf](https://economy-finance.ec.europa.eu/system/files/2022-12/2023_dbp_lt_en.pdf).

<sup>33</sup> Ministère des Finances, *de Budgets-plang 2023 - Draft Budgetary Plan*, 2022, [https://economy-finance.ec.europa.eu/system/files/2022-10/2023\\_dbp\\_lu\\_en.pdf](https://economy-finance.ec.europa.eu/system/files/2022-10/2023_dbp_lu_en.pdf).

<sup>34</sup> Ministry for Finance and Employment, *Malta: Draft Budgetary Plan 2023*, 2022, [https://economy-finance.ec.europa.eu/system/files/2022-10/2023\\_dbp\\_mt\\_en.pdf](https://economy-finance.ec.europa.eu/system/files/2022-10/2023_dbp_mt_en.pdf).

<sup>35</sup> Government of the Republic of Slovenia, *Draft Budgetary Plan 2023*, 2022, [https://economy-finance.ec.europa.eu/system/files/2022-11/2023\\_dbp\\_si\\_en.pdf](https://economy-finance.ec.europa.eu/system/files/2022-11/2023_dbp_si_en.pdf).

The deployment of such large financial investments poses both opportunities and risks for persons with disabilities. Funding must be well targeted to stimulate recovery, yet it must be fair and inclusive in its impact. If investments on this scale fail to address disability equality, including accessibility, there is a risk of compounding the exclusion of persons with disabilities at a structural level for years to come. Where RRFs promise systemic investments (e.g. in major digitisation of government services or transport infrastructure) then it is vital that accessibility standards are met as a condition of EU funding.

Amendment of the RRF Regulation in 2022 (REpowerEU) addressed more directly the challenges of energy security. The Commission's updated guidance on Recovery and Resilience Plans recognised the significant developments in geopolitical and socio-economic context arising from the war in Ukraine and its cumulative impact on the situation resulting from the COVID-19 pandemic in Europe.<sup>36</sup> The updated guidance also required attention to equal opportunities when assessing modifications to national investment plans, notably concerning the recent risks of energy poverty. Consequently, revised objectives and targets should be disaggregated where appropriate (i.e. there is scope to consider the differential impact on persons with disabilities and their households). Thus:

'Member States should describe how the changes to their plan contribute to overcoming the existing national challenges in terms of gender equality and equal opportunities for all, regardless of gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation, in line with the principles 2 and 3 of the European Pillar of Social Rights and drawing on the Social Scoreboard.'  
(Part 4)

However, the Recovery and Resilience Scoreboard does not directly indicate equality outcomes (other than for young people, or economic activity and educational participation by age and gender),<sup>37</sup> and the Commission's 2023 Communication on RRF implementation made no mention of disability, or gender, or equal opportunities in general.<sup>38</sup>

The Commission's Technical Support Instrument (TSI) remains important in this implementation. It aims to provide 'tailor-made technical expertise to EU Member States to design and implement reforms'.<sup>39</sup> Technical assistance input is driven by requests from the Member States and may be provided by in-house expertise from the Commission, from experts, international organisations or private companies. Twelve

<sup>36</sup> European Commission, *Commission Notice Guidance on Recovery and Resilience Plans in the context of REPowerEU 2023/C 80/01*, 2023, [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52023XC0303\(01\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52023XC0303(01)).

<sup>37</sup> Recovery and Resilience Scoreboard, Common indicators, [https://ec.europa.eu/economy\\_finance/recovery-and-resilience-scoreboard/common\\_indicators.html?lang=en](https://ec.europa.eu/economy_finance/recovery-and-resilience-scoreboard/common_indicators.html?lang=en).

<sup>38</sup> European Commission, *Recovery and Resilience Facility: Two years on: A unique instrument at the heart of the EU's green and digital transformation*, COM(2023) 99 final, 2023, [https://commission.europa.eu/system/files/2023-02/COM\\_2023\\_99\\_1\\_EN.pdf](https://commission.europa.eu/system/files/2023-02/COM_2023_99_1_EN.pdf).

<sup>39</sup> European Commission (2022) *Technical Support Instrument (TSI)*, [https://ec.europa.eu/info/funding-tenders/find-funding/eu-funding-programmes/technical-support-instrument/technical-support-instrument-tsi\\_en](https://ec.europa.eu/info/funding-tenders/find-funding/eu-funding-programmes/technical-support-instrument/technical-support-instrument-tsi_en).

flagship technical support projects were identified in 2023.<sup>40</sup> None of these targeted disability issues specifically but some were highly relevant.

For example, the project ‘Towards person-centred integrated care’ aims to assist Member States in reforming health, social care and long-term care systems (including co-ordination between these sectors).<sup>41</sup> This includes objectives concerned with improving ‘access to and the quality of health, social and long-term care’, and supporting the wider EU Care Strategy and proposal for a Council recommendation on long-term care. In this example, it is relevant to note that the large majority of persons eligible for long-term care in the Member States would be considered as persons with disabilities. The flagship includes efforts to map existing information systems, to share and implement good practices, and to support digitalisation.

It is important that such technical assistance expertise includes expertise in disability equality principles and accessibility standards. For example, there was again no specific reference to the inclusion of persons with disabilities or accessibility in flagship projects on digital transformation for regional and local public administrations or public procurement (as noted in 2022 this was also the case for flagship projects identified with government services, digital skills or digital tourism). Similarly, none of the Reform Support Country Factsheets include any reference to disability in 2023.<sup>42</sup>

In 2022 there was a specific flagship on ‘Gender mainstreaming in public policy and budget processes’.<sup>43</sup> Its description provided a useful template that could be considered for a future flagship project in the disability equality field. The 2022 gender project was described as follows:

‘This flagship project targets the Member States wishing to understand ways of taking into account the gender impacts of policies and budgeting, or to address related gaps. It offers technical support to analyse policies and budgeting from the point of view of gender mainstreaming, helping to make sure that all citizens, regardless of gender, are able to fully participate and contribute to a fair society. Gender perspective/impact can be mainstreamed in all relevant policy areas and reflected in budgeting. The flagship technical support project will provide capacity development on latest trends/methodologies/tools for mainstreaming. The project will also help Member States for peer learning/exchanges per country and while improving their targeted approaches in chosen sectors, policy fields or regions.’

For example, this flagship has supported technical projects on ‘Reducing employment gender gap in the Hungarian labour market’ and ‘Strengthening the government capacity for gender-sensitive and inclusive recovery in Czech Republic’. Such

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<sup>40</sup> 2023 Flagship Technical Support Projects, [https://reform-support.ec.europa.eu/tsi-2022-annual-conference\\_en#ref-2023-flagship-technical-support-projects](https://reform-support.ec.europa.eu/tsi-2022-annual-conference_en#ref-2023-flagship-technical-support-projects).

<sup>41</sup> 2023 Flagship Technical Support Project: Towards person-centred integrated care, [https://reform-support.ec.europa.eu/towards-person-centred-integrated-care\\_en](https://reform-support.ec.europa.eu/towards-person-centred-integrated-care_en).

<sup>42</sup> Reform Support Country Factsheets, [https://reform-support.ec.europa.eu/our-projects/country-factsheets\\_en](https://reform-support.ec.europa.eu/our-projects/country-factsheets_en).

<sup>43</sup> European Commission (2021) *Gender mainstreaming in public policy and budget processes*, [https://ec.europa.eu/info/sites/default/files/b1\\_-\\_gender\\_mainstreaming.pdf](https://ec.europa.eu/info/sites/default/files/b1_-_gender_mainstreaming.pdf).

examples could be easily transposed to adopt a similar perspective on disability equality mainstreaming in a parallel flagship for Technical Assistance Support.

## 1.6 The Joint Employment Report

Within the Autumn package, laying the groundwork for the new Semester, the proposal for a Joint Employment Report (JER) provides a key point of reference. It also provides important evidence of the EU's progress in disability equality mainstreaming. As a marker of progress, the number of references in the JER to the situation of persons with disabilities, or to disability policies, has increased year on year for a decade.

As in 2022, the 2023 JER provided the most significant reference point for disability equality mainstreaming in the Autumn Package for the Semester cycle.<sup>44</sup> Over the past decade there has been a consistent and progressive increase in the level of attention devoted to disability equality, the situation of persons with disabilities and disability policies. In fact, the Proposal for the 2023 JER included more than one hundred direct references to disability in the text and footnotes (although fewer than the number of references to gender/women or to Roma). An assessment of this coverage in the JER provides a useful basis for reviewing relevant disability issues in the Spring Package, including the Member States' policy plans.

As reported last year, the addition of disability equality measures to the Social Scoreboard was a significant development since 2021 (along with other new measures on adult learning, child poverty and housing cost). It remains anomalous that the Disability employment gap is presented within the 'social protection' indicators while the Gender employment gap is presented within 'equal opportunities' (p. 35).<sup>45</sup> This may reflect a wider policy discourse in which disability policy is often framed as social policy, or as a social protection issue, rather than an equality issue. In practice, the labour market policies addressing both gender gaps and disability gaps include a mix of non-discrimination policies and supportive policies.

The introduction of a 'disability employment gap' indicator into the social protection and inclusion dimension of the revised Scoreboard in 2022 was a significant achievement for disability equality mainstreaming. This measure was first exploited in the 2022 JER proposal and updated in the final version approved by Council.<sup>46</sup> The interim data for the disability employment gap indicator continued to be sourced from EU-SILC in 2023 (based on 2021 data) but is expected to draw on new disaggregation from EU-LFS in future policy cycles. There was also reference in the 2023 JER to the possibility of developing additional indicators in this area (p. 36).

In the 2022 JER, the disability employment gap was flagged as a critical situation in Belgium, Bulgaria, Germany and Croatia, and 'to watch' in Hungary, Malta, Poland, Romania and Sweden. Initial indicators were not provided for Ireland, Italy and Latvia

<sup>44</sup> European Commission, Proposal for a Joint Employment Report from the Commission and the Council, COM(2022) 783 final, [https://commission.europa.eu/system/files/2022-11/COM\\_2022\\_783\\_1\\_EN.pdf](https://commission.europa.eu/system/files/2022-11/COM_2022_783_1_EN.pdf).

<sup>45</sup> See, Eurostat, *Social scoreboard indicators*, <https://ec.europa.eu/eurostat/web/european-pillar-of-social-rights/scoreboard>.

<sup>46</sup> European Commission (2021) *Joint Employment Report 2022: As adopted by the Council on 14 March 2022*, <https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8476>.

in the draft Proposal. Ireland was added as ‘Weak but improving’ (although it indicated the widest gap in the EU). The 2022 JER acknowledged the wide employment gap experienced by persons with disabilities across the EU and the ‘considerable potential’ to increase the employment of this group. In 2023, the Social Scoreboard flagged four Member States as posing a ‘critical situation’ based on available data from 2021 (Belgium, Ireland, Poland and Romania), with five countries ‘to watch’ (Austria, Cyprus, Germany, Croatia and Hungary). The ‘best performers’ on this measure were Denmark, Spain, Italy, Luxembourg, Latvia and Portugal. Comparable data was missing for Slovakia in the draft 2023 JER (p. 38).

Following the theme of the headline indicator, the first disability issue raised in the 2023 JER was the ‘considerable potential for a stronger labour market participation of persons with disabilities and older workers’ (p. 10), as supported by the disability employment gap indicator. This under-utilisation of potential in the labour force is a theme that has been well evidenced and argued for some years now. While there has been a strong policy emphasis on international concerns about early exit from the labour force among ‘older workers’, this has not always been expressed as a disability issue. To better focus analysis and intervention it is helpful to disaggregate the policy challenges of labour market exit for reasons of disability from early retirement for other reasons. It is therefore welcome that the JER draws specific attention to the Disability Employment Package, launched in 2022 (which is analysed later).

This general concern is relevant to the implementation of Guideline 6 on enhancing labour supply and Principle 17 of the European Pillar of Social Rights on inclusion of persons with disabilities. Specific attention was given to the disability dimension in the JER, and with cross-reference to EU disability strategy (pp. 81-82). This draws attention to the wide variation in disability employment gaps among the Member States, as well as positive and negative movements on this measure.

The second main issue is the persistent risk of poverty or social exclusion, although the JER also observes that the share of persons with disabilities among those at risk declined during the COVID-19 pandemic. The policy emphasis here is on addressing ‘gaps in social protection to reduce inequalities, including by compensating extra costs related to disability and eligibility for disability benefits’ (pp. 15, 29). In terms of future analysis it will be important to consider the impact that social protection systems have on risk reduction, particularly poverty risk reduction (to disaggregate the effects of employment policies on the overall risk measure for persons of working age).

The JER is relevant here to implementing Guideline 8 on equal opportunities and social inclusion, which also connects to Social Pillar Principle 17. The specific risks facing persons with disabilities were recognised in this context, notably women with disabilities who are over-represented in the older disability population (pp. 134-135). The JER draws attention to increases in social protection benefit expenditure levels in 2021, where a +4% increase in disability benefits was among the highest (p. 142). Specific attention was paid also to examples of Providing additional income support to persons with disabilities and their families (p. 157), ‘Measures to develop the necessary community-based services to support independent living’, which also link to CRPD (p. 158), and housing (p. 159).

The challenge of inclusive education is not framed explicitly as a disability challenge in the JER but the report highlighted several policy examples that fall within this category. These include examples of development in inclusive schooling and in adult education and training. The range of policy examples is summarised with page references in the following table.

**Table 1: Policy references to disability in the 2023 Joint Employment Report**

| MS | Example text extracts  | JEP page |
|----|--|----------|
| BE | (Wallonia) adopted a de-institutionalisation strategy  | 158      |
| BE | (Wallonia) construction and adaptation of inclusive housing for people with disabilities and elderly   | 158      |
| BE | Talents–Impulsion–Mobilisation reform of PES Wallonia<br>Personalised services and individual pathways for vulnerable jobseekers, including persons with disabilities<br>PES reform (TIM) in Wallonia to provide more personalised and integrated support with specific pathways to employment for persons with disabilities | 98, 127  |
| BG | Subsidised employment, mentoring, adapting the work environment and transport for 3 600 vulnerable people including persons with disabilities  | 98       |
| BG | Projects for deinstitutionalization of children  | 158      |
| CZ | Increased hiring incentives for employment of persons with disabilities<br>Increased employment services offered by PES to people with disabilities  | 98       |
| EL | Inclusive education pilot project of 50 experimental accessible schools focused on the inclusion of persons with disabilities<br>Early childhood intervention programmes on a pilot basis to more than 1 400 children with disabilities aged 0-6 year  | 87-88    |
| EL | Temporary allowance of EUR 250 to beneficiaries of disability benefits (among others)  | 157      |
| EL | Measures to develop personal assistance schemes, previously piloted in Attica  | 158      |
| ES | Consolidation of income benefits, taking account of households with persons with disabilities  | 154      |
| FI | New state-owned intermediate labour market operator in 2022 including persons with impaired capacity to work   | 99       |
| HR | National Plan for the Development of the Education System 2021-2027<br>Support system for children and students with disabilities  | 88       |
| HR | Law on Amendments to the Labour Market Law<br>Improving financial assistance to unemployed persons with disabilities   | 98       |
| HR | Amendment to the labour market law to determine the conditions for awarding financial assistance to unemployed persons with disabilities   | 157      |
| HR | National Plan for the Equalisation of Opportunities for Persons with Disabilities for 2021-2027<br>Reducing the number of persons with disabilities in long-term accommodation services by developing community-based services   | 158      |
| HU | Programme for upskilling employees with incentives to involve disadvantaged groups such as persons with disabilities   | 94       |
| IE | Actively offering and providing employment services and support to jobseekers with disabilities at the earliest possible opportunity   | 98       |
| LT | Non-taxable income threshold was increased more for the elderly and persons with disabilities  | 59       |
| LT | Options for open labour market choice for persons with disabilities rather than employment in special social enterprises   | 98       |
| LT | Increase accessibility of social housing and support for persons with disabilities (among others)  | 158-9    |
| LT | Increase of the amount of the additional child benefit<br>New law granting additional benefits to single elderly persons and persons with disabilities   | 157      |

|           |   |     |
|-----------|---|-----|
| <b>LU</b> | Flexible working and additional leave days for parents, taking the number of children as well as disability status of the children into account   | 97  |
| <b>LU</b> | Revised standards for accessibility in residential housing, to achieve a gradual increase in housing that is adapted to the needs of persons with disabilities  | 159 |
| <b>LV</b> | Plan to promote equal opportunities for people with disabilities measures for inclusion in the labour market  | 98  |
| <b>MT</b> | Measures to improve access to social benefits for persons with disabilities   | 157 |
| <b>MT</b> | Alternative to a life insurance policy for persons who, due to past medical conditions or a disability, could not obtain such a policy and were thus unable to become homeowners  | 159 |
| <b>PL</b> | Plans to invest in nurseries and children’s clubs including those adapted to the needs of children with disabilities or requiring special care  | 86  |
| <b>PL</b> | Draft law on inclusive education<br>New three-level system of early development support<br>New special needs diagnostics system<br>Special education institutions will be expanded to support inclusive mainstream education<br>Support for developing teaching staff’s skills in inclusive education | 88  |
| <b>PT</b> | Programme which supports the hiring and employability process of people with disabilities.  | 98  |
| <b>RO</b> | RRP reform on deinstitutionalisation  | 158 |
| <b>SK</b> | Action Plan for the Implementation of the Strategy for an Inclusive Approach to Education 2022-2024<br>Pilot project for a support system based on classrooms support for actual needs instead of disability diagnosis<br>RRP plans to remove architectural barriers in 252 large secondary schools.  | 88  |

The 2023 JER was largely consistent with the level of mainstreaming achieved in the previous year, and both contained more than one hundred disability references in the text (plus the addition of supporting data and indicators). The 2022 JER had reinforced the relevance of the Social Pillar and the revised Social Scoreboard in the Semester process. It reiterated the relevance of the 2021 European Pillar of Social Rights Action Plan<sup>47</sup> and policy guidance arising from the 2021 Porto Social Summit.<sup>48</sup> This was relevant from a disability perspective as the joint declaration from that summit referred directly to disability, committing all parties to:

‘Develop public policies that, at the appropriate level, strengthen social cohesion, fight against all forms of discrimination, including in the world of work, and promote equal opportunities for all, particularly addressing children at risk of poverty, the elderly, people with disabilities, people with a migration background, disadvantaged and minority groups and the homeless.’<sup>49</sup>

This summit covered the three main areas of focus addressed in EDE’s Semester reporting – work and employment, welfare state and social protection, skills and innovation (i.e. the labour market, social policies and health care, education and skills).

<sup>47</sup> European Pillar of Social Rights Action Plan, <https://ec.europa.eu/social/BlobServlet?docId=23696>.

<sup>48</sup> Porto Social Summit, 7 May 2021, <https://www.consilium.europa.eu/en/meetings/european-council/2021/05/07/social-summit/>.

<sup>49</sup> *Porto Social Commitment*, 7 May 2021, <https://infoeuropa.eu/ocid.pt/registo/000086558/documento/0001/>.

In relation to the impact of the COVID-19 crisis, the 2022 JER noted that:

‘Confinement measures have had a disproportionate impact on persons with disabilities, for instance, notably in terms of access to healthcare, education and other on-line support services, also aggravating pre-existing limitations in access to employment’ (p. 27).

The consequences of these impacts were not referred to in the 2023 JER but these impacts were examined in some depth in thematic reports produced by EDE in 2021, and by the Commission’s annual review of Employment and Social Developments in Europe 2021, which included a summary section devoted to this.<sup>50</sup>

## 1.7 Disability Employment Package

As mentioned in the 2023 JER, the launch of a Disability Employment Package in 2022 (to be developed in collaboration with stakeholders during 2023-24) is highly relevant for this Semester cycle.<sup>51</sup> The Package supports the Semester’s headline employment and training targets for 2030 by focusing on measures to assist Member States in reducing disability employment gaps. It includes a range of initiatives, which can be broken down into six main areas, as follows:

- strengthening capacities of employment and integration services;
- promoting hiring perspectives through affirmative action and combating stereotypes;
- ensuring reasonable accommodation at work;
- retaining persons with disabilities in employment: preventing disabilities associated with chronic diseases;
- securing vocational rehabilitation schemes in case of sickness or accidents; and
- exploring quality jobs in sheltered employment and pathways to the open labour market.

First steps in developing this package were taken in September 2022 with measures under the first heading. In particular, the European network of public employment services launched a Practitioner toolkit on strengthening PES to improve the labour market outcomes of persons with disabilities.<sup>52</sup> This Commission publication reinforces and raises the significance of disability equality in the field of employment policy co-ordination at the EU level. It underlines labour market trends and the case for action to counter the barriers experienced by persons with disabilities in the labour market, as well as EU commitments to implement the UN CRPD via the European disability strategy. It emphasises the role of public employment services and acknowledges their existing contribution.

<sup>50</sup> European Commission (2021) *Employment and Social Developments in Europe 2021* (pp. 86-89), <https://ec.europa.eu/social/BlobServlet?docId=24223&langId=en>.

<sup>51</sup> European Commission, Disability Employment Package to improve labour market outcomes for persons with disabilities, 2022, <https://ec.europa.eu/social/main.jsp?catId=1597&langId=en>.

<sup>52</sup> European Commission, Directorate-General for Employment, Social Affairs and Inclusion, Genova, A., Davern, E., *European network of public employment services: practitioner toolkit on strengthening PES to improve the labour market outcomes of persons with disabilities*, Publications Office of the European Union, 2022, <https://data.europa.eu/doi/10.2767/034981>.

The PES Toolkit offers a practical guide with examples in six areas of PES activity. These focus on internal policies (such as staff recruitment and training), information services (including awareness raising and career guidance), active labour market measures (for personalised support), reasonable accommodation and accessibility, outreach programmes (including disability advisory services), and partnerships with other agencies.

The Toolkit presents an implementation model for service improvement to increase the participation of persons with disabilities. This envisages that PES should engage in mapping the existing situation of persons with disabilities and develop an inclusion strategy, with an implementation plan, driven by continuous review and commitment to delivery. For example, the Toolkit highlights the German PES Inclusion Action Plan<sup>53</sup> and the French PES Strategy for Persons with Disabilities, with further examples in Ireland and Sweden. The annex to the Toolkit includes case study measures from Germany, Greece, Sweden, Lithuania, Malta, Ireland, Netherlands, Estonia, France and Belgium, plus a range of examples from other Member States (pp. 36-54). It would be relevant in the analysis of the 2023-24 semester cycle to look for evidence of relevant PES strategies and measures in EU Member States.

In a related publication, the European Network of Public Employment Services reported in 2022 on capacity for Labour market training for the long-term unemployed, among which population persons with disabilities are also strongly over-represented. This included responses to a survey of 36 PES in 26 Member States, plus Iceland and Norway.<sup>54</sup> One example of targeted training for persons with disabilities was highlighted from the Greek PES, in 2021, with additional mention of policies in Czechia and Luxembourg.

In 2023, A joint briefing by the OECD and the European Commission reported on 'inclusive and social entrepreneurship' training schemes in the EU.<sup>55</sup> This included examples of support for entrepreneurs with disabilities in Germany, the previously EU-funded project Work-based Entrepreneurship Training for People with Disabilities (WOT), and training for Self-Employment for People with Disabilities in Ireland.

It is also relevant to mention the Presidency conference on integration of people with disabilities into the labour market, hosted by Czechia in 2022. This focused on the Disability Employment Package, as well as the action plan for the social economy which, among other things, aims to 'build bridges for persons with disabilities to employment in the open labour market; and provides services which are essential to

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<sup>53</sup> Bundesagentur für Arbeit (Federal Employment Agency), *Der Aktionsplan Inklusion der Bundesagentur für Arbeit*, undated, [https://www.arbeitsagentur.de/datei/aktionsplan-inklusion-doppelseitenansicht\\_ba146541.pdf](https://www.arbeitsagentur.de/datei/aktionsplan-inklusion-doppelseitenansicht_ba146541.pdf).

<sup>54</sup> European Commission, Directorate-General for Employment, Social Affairs and Inclusion, Anghel, L., *European network of public employment services: 2022 PES capacity questionnaire part II: labour market training for the long-term unemployed: survey-based report*, Publications Office of the European Union, 2022, <https://data.europa.eu/doi/10.2767/07742>.

<sup>55</sup> European Commission, Directorate-General for Employment, Social Affairs and Inclusion, Organisation for Economic Co-operation and Development, *Policy brief on improving the effectiveness of inclusive and social entrepreneurship training schemes*, Publications Office of the European Union, 2023.

support their independent living'.<sup>56</sup> The topic focus included employment services, social enterprises, employer practices, and health and safety at work.<sup>57</sup>

## 1.8 The Spring Package

In 2021 and 2022, the EDE country fiches provided an assessment of disability issues arising from the Spring plans submitted by the Member States, and from the Commission's responses to them. These reports were prepared by national experts in the EDE network, based on their analyses of the information currently available. As outlined earlier, the process of the Semester was amended in 2021, with streamlined reporting and a greater emphasis on the integration of Recovery and Resilience Plans (RRPs). In 2022 there was a return to the publication of National Reform Programmes (NRPs), Country Reports prepared by the Commission, and Country Specific Recommendations (published in May 2022). This pattern was consolidated in Spring 2023 with the return to a 'new normal' Semester process, still strongly linked to the RRP. No EDE country fiches were planned in response to the 2023 Spring Package at the time of writing (June 2023) but a preliminary overview is provided in the following sections of this update of the synthesis report.

The most recent Semester Spring Package was published in May 2023.<sup>58</sup> In a return to the 'new normal' pattern of the Semester, this package included a Commission Communication and proposal on Guidelines for employment policies, plus Country Reports (analytical Staff Working Documents) and Country-Specific Recommendations for the 27 Member States. There were also in-depth reviews for 17 countries, and documents relating to post-programme surveillance for five countries.

Over the decade of the previous EU strategy period, which coincided also with EU implementation of the UN CRPD, there was increasing recognition of the situation of persons with disabilities in the Semester document packages. By 2019, all 28 of the Commission's Semester country reports raised disability issues, twice as many as in 2012. The number of Country-Specific Recommendation fiches referring to disability also increased from three in 2012 to 18 in 2019. As a result, visibility in the EU's high-level Joint Employment Report (JER) also rose, from just seven references to disability in 2013 to 57 in 2019 (increasing each year). This encouraging trend has continued in the current period since 2020, with 71 references to disability in the 2020 JER, 85 in the 2021 report and more than one hundred in the 2022 and 2023 reports. Considering the preoccupations with macro budgetary challenges, COVID-19 and the consequences of the war in Ukraine, this level of sustained visibility should be considered a success for disability equality mainstreaming. It also sets a precedent for maintaining and increasing this visibility in future policy cycles. In particular, attention

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<sup>56</sup> European Commission, *Building an economy that works for people: an action plan for the social economy*, COM(2021) 778 final.

<sup>57</sup> Ministry of Labour and Social Affairs, *Presidency conference of the MoLSA (Ministry of Labour and Social Affairs) focused on the integration of people with disabilities into the labour market*, press release, 2022, [https://www.mpsv.cz/documents/20142/2786931/Press+release\\_Czpres\\_210922.pdf/faff3221-1afb-a72e-f953-90ec2e877d3c](https://www.mpsv.cz/documents/20142/2786931/Press+release_Czpres_210922.pdf/faff3221-1afb-a72e-f953-90ec2e877d3c).

<sup>58</sup> European Commission, *Spring Package*, 2023, [https://commission.europa.eu/business-economy-euro/economic-and-fiscal-policy-coordination/european-semester/european-semester-timeline/spring-package\\_en](https://commission.europa.eu/business-economy-euro/economic-and-fiscal-policy-coordination/european-semester/european-semester-timeline/spring-package_en).

should be paid to the consistency and quality of disability equality mainstreaming, building on examples of good practice established in recent cycles.

The Commission Communication on the 2022 Spring Package included two references to disability. It underlined the importance of increasing the labour market participation of persons with disabilities (along with other marginalised groups) and acknowledges the disproportionate impact of the COVID-19 crisis on such groups.<sup>59</sup> There was only one reference to disability in the Communication from the Commission accompanying the 2023 Spring Package.<sup>60</sup> This echoed the central policy concern to raise the participation of groups marginal to the labour market, including persons with disabilities:

‘Similarly, increasing the labour market participation of women, young people and underrepresented and vulnerable groups, such as persons with disabilities, people with a migrant background and Roma, remains a major opportunity for inclusive growth and equality.’ (p. 19)

This is a very relevant policy concern but mentioned only as an add-on to the importance of training and skills. There was no direct consideration of the disability dimension, or reference in relation to other policy challenges. There were thus some missed opportunities to consider the situation of persons with disabilities in the Communication. For example, on the previous page when considering ‘Fairness’ in the labour market, the Communication notes that, ‘sizeable employment gaps persist for some population groups, including women and young people’. In fact, according to estimates from EU-SILC data and the key indicator in the Social Scorecard, the disability employment gap is wider than the gender or youth employment gap. Such inconsistencies could be flagged if a more systematic and evidence-based approach to disability equality mainstreaming became the norm across the Semester process.

There were no direct references to disability in the Commission’s 2023 reporting on compliance with the deficit and debt criteria.<sup>61</sup> This is unsurprising as the reports deal mainly with macroeconomic imbalances under the excessive deficit procedures. Nevertheless, it is relevant to keep in mind that macro-economic factors have a disproportionate impact on persons with disabilities where they impact on, for example, general labour market conditions or poverty risk levels. Similarly, none of the 2023 Post-Programme Surveillance Reports (for Greece, Spain, Ireland, Cyprus and Portugal) refer to disability issues specifically.

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<sup>59</sup> European Commission (2022) 2022 European Semester – Spring Package, COM(2022) 600 final, [https://commission.europa.eu/publications/2022-european-semester-spring-package-communication\\_en](https://commission.europa.eu/publications/2022-european-semester-spring-package-communication_en).

<sup>60</sup> European Commission, 2023 European Semester - Spring Package, COM(2023) 600 final, [https://commission.europa.eu/system/files/2023-05/COM\\_2023\\_600\\_1\\_EN.pdf](https://commission.europa.eu/system/files/2023-05/COM_2023_600_1_EN.pdf).

<sup>61</sup> European Commission, *Excessive deficit procedures – overview: Most recent decisions and updates*, 2023, [https://economy-finance.ec.europa.eu/economic-and-fiscal-governance/stability-and-growth-pact/corrective-arm-excessive-deficit-procedure/excessive-deficit-procedures-overview\\_en](https://economy-finance.ec.europa.eu/economic-and-fiscal-governance/stability-and-growth-pact/corrective-arm-excessive-deficit-procedure/excessive-deficit-procedures-overview_en).

Among the 2023 in-depth reviews only the report for Czechia mentioned disability directly. This was in relation to the assertion that ‘Policy needs to address the structural tightness of the labour market to stem excessive wage growth’.<sup>62</sup> The central argument here is that groups marginal to the labour market can be brought into it. In this context, the Commission asserted that:

‘Still, further efforts are needed including measures to raise the labour market participation of women (in particular those with small children), disadvantaged groups such as persons with disabilities, low-skilled, older workers, and long-term unemployed persons and strengthening the upskilling and reskilling of working age population.’

While these type of documents serve a macro-economic function, the above example illustrates how the situation of persons with disabilities can be a relevant consideration when framing policy direction. They also point to inconsistency or missed opportunities for mainstreaming disability equality. The in-depth reviews for Slovakia, Latvia, Italy and Hungary also referred to the tightness of the labour market but did not consider persons with disabilities as a reserve population of labour explicitly. For example, the 2023 In-depth report for Greece argued that ‘The labour market could further benefit from an improvement in the effectiveness of activation support, with a particular focus on young people and women’.<sup>63</sup> Yet, according to the most recent estimates available from EU-SILC data, the disability activity rate gap is much wider in Greece than it is Czechia. A more systematic consideration of disability equality mainstreaming in the analytical approach would address such inconsistencies and help to highlight relevant policy challenges for follow-up.

## 1.9 Employment Guidelines

During the period under review (2021-2023) there has been continued visibility of disability issues in the framing of EU Guidelines for the employment policies of the Member States. The Council’s 2021 Decision on the Employment Guidelines emphasised the importance of tackling discrimination and acknowledged the employment potential of persons with disabilities explicitly.<sup>64</sup>

‘(10) Discrimination in all its forms should be tackled, gender equality ensured and youth employment supported. Access and opportunities for all should be ensured and poverty and social exclusion, including that of children, should be reduced, in particular by ensuring an effective functioning of labour markets and adequate and inclusive social protection systems, and by removing barriers to education, training and labour-market participation, including through investments in early childhood education and care and in digital skills. Timely and equal access to affordable long-term care and healthcare services, including

<sup>62</sup> European Commission, *In-depth review for Czechia*, SWD(2023) 628 final, [https://economy-finance.ec.europa.eu/system/files/2023-05/CZ\\_SWD\\_2023\\_628\\_10\\_EN\\_autre\\_document\\_travail\\_service\\_part1\\_v1.pdf](https://economy-finance.ec.europa.eu/system/files/2023-05/CZ_SWD_2023_628_10_EN_autre_document_travail_service_part1_v1.pdf).

<sup>63</sup> European Commission, *In-depth review for Greece*, SWD(2023) 631 final, [https://economy-finance.ec.europa.eu/system/files/2023-05/EL\\_SWD\\_2023\\_631\\_7\\_EN\\_autre\\_document\\_travail\\_service\\_part1\\_v3.pdf](https://economy-finance.ec.europa.eu/system/files/2023-05/EL_SWD_2023_631_7_EN_autre_document_travail_service_part1_v3.pdf).

<sup>64</sup> *Council Decision (EU) 2021/1868 of 15 October 2021 on guidelines for the employment policies of the Member States*, <https://eur-lex.europa.eu/eli/dec/2021/1868/>.

prevention and healthcare promotion, are particularly relevant, in light of the COVID-19 crisis and in a context of ageing societies. The potential of people with disabilities to contribute to economic growth and social development should be further realised. As new economic and business models take hold in Union workplaces, employment relationships are also changing. Member States should ensure that employment relationships stemming from new forms of work maintain and strengthen Europe's social model.'

In its practical effect, the Decision carried forward the previous guidelines on employment policies and these are of high relevance from a disability perspective (see Annex to Council Decision (EU) 2020/1512).<sup>65</sup>

'Member States should support an adapted work environment for people with disabilities, including through targeted financial support and services that enable them to participate in the labour market and in society.'

And...

'Member States should promote inclusive labour markets, open to all, by putting in place effective measures to fight all forms of discrimination and promote equal opportunities for all, and in particular for groups that are under-represented in the labour market, with due attention to the regional and territorial dimension. They should ensure equal treatment regarding employment, social protection, health and long-term care, education and access to goods and services, regardless of gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation.'

And...

'For those in need or in a vulnerable situation, Member States should ensure access to adequate social housing or housing assistance and address energy poverty. The specific needs of people with disabilities, including accessibility, should be taken into account in relation to those services.'

The 2023 proposal on Guidelines for employment addressed disability rights and equality in setting the context for employment policies, by referring to the EU Strategy for the Rights of Persons with Disabilities and the Disability Employment Package (p. 4).<sup>66</sup> They also highlight the need for specific attention to persons with disabilities in employment and social protection policies:

'Equal access and opportunities for all should be ensured and poverty and social exclusion, in particular that of children, persons with disabilities and the Roma people, should be reduced, in particular by ensuring an effective functioning of labour markets and adequate and inclusive social protection systems...' (p. 7)

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<sup>65</sup> Council Decision (EU) 2020/1512 of 13 October 2020 on guidelines for the employment policies of the Member States *OJ L 344 19.10.2020*, pp. 22-28, <http://data.europa.eu/eli/dec/2020/1512/oj>.

<sup>66</sup> European Commission, *Proposal for a Council Decision on Guidelines for the Employment Policies Of The Member States*, COM(2023) 599 final, [https://commission.europa.eu/system/files/2023-05/COM\\_2023\\_599\\_1\\_EN.pdf](https://commission.europa.eu/system/files/2023-05/COM_2023_599_1_EN.pdf).

This concern is linked to implementation of the Council Recommendations on adequate minimum income ensuring active inclusion.<sup>67</sup> More specifically, in the context of non-discrimination, the Guidelines emphasise the need for targeted attention to the participation of persons with disabilities, including the development of relevant policy targets:

‘The potential of persons with disabilities to contribute to economic growth and social development should be further realised, in line with the Strategy for the Rights of Persons with Disabilities, which invited Member States to set up employment and adult learning targets for persons with disabilities.’ (p. 8)

There is a tendency to frame disability as a policy concern in the context of equal opportunities in the Guidelines (i.e. Guideline 8), whereas it is increasingly raised as a structural concern in enhancing labour supply and access to employment in the Commission’s analyses and in national policies (i.e. Guideline 6). In the process of mainstreaming disability equality within policy making, as for gender equality, it is relevant both to maintain a spotlight on the equal opportunity issue and to ensure that due consideration is given to disability where it is a key factor in general policy concerns (notably, for the Semester, in context of labour supply).

As shown earlier in the JER, Guideline 6 on Enhancing labour supply and improving access to employment, skills and competences is linked with Social Pillar principle 17 on inclusion of persons with disabilities. For example, the 2022 Guidelines observed, the need for assistive technologies in context of learning digital skills, and the impact of discrimination on school retention rates. In particular, they highlighted the labour market challenges facing young persons with disabilities ‘as a result of higher early school leaving and lower levels of tertiary educational attainment’, and the mitigating effect of higher education on the disability employment gap, citing data provided by EDE (p. 67). These kinds of specific references were absent from the 2023 Guidelines.

Similarly, the 2022 Guidelines observed that persons with disabilities were among the groups most likely to be targeted by specific employment support measures or arrangements during the COVID-19 crisis (in at least 11 Member States, p. 56). It underlines the wide variation in employment gap among Member States, and the aggravating effect of the COVID-19 pandemic, concluding that there is ‘an urgent need for policy action in this area’ (p. 89). Policy measures to promote the employment of persons with disabilities in the Member States were also highlighted (p. 98). The attention given to this topic in 2022 was relevant to the launch of the Disability Employment Package in 2023 as planned in the disability Strategy (see Section 1.7).

Guideline 8 maintains the established principle of ‘Promoting equal opportunities for all, fostering social inclusion and fighting poverty’ and refers to disability, among other grounds, in ensuring ‘equal treatment regarding employment, social protection, health and long-term care, education and access to goods and services’.

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<sup>67</sup> Council Recommendation of 30 January 2023 on adequate minimum income ensuring active inclusion (OJ C 41, 3.2.2023).

The 2022 JER highlighted Eurostat data showing that ‘Persons with disabilities, especially women and those of working age, were much more likely to be AROPE in 2020’ (p. 139). These rates, and the disparities with the general population, vary markedly among the Member States (the headline rate for working aged people is strongly linked to lack of employment). The JER pointed to aspects of poverty, including energy poverty, that may have a disproportionate impact on persons with disabilities, but which are not disaggregated in this way. Income inequality is a key concern overall, and there is potential to examine this from a disability perspective (e.g. in terms of financial poverty or in-work-poverty gaps). The impact of social protection measures on poverty risk is also very variable and this is an important factor to analyse from a disability equality perspective. These various challenges are examined in more detail later.

The 2022 JER also noted measures to review and revise disability benefits and services in the Member States (p. 153). Numerous examples of this type were provided in the EDE country fiches in 2022 and 2023. A further issue raised in the JER is uneven access to health care, for example in terms of unmet needs for medical care (p. 150). This measure is also capable of disaggregation from a disability perspective, and examined in the EDE country fiches.

In summary, the headline targets for the EU level are to that, by 2030:

- at least 78 % of the population aged 20 to 64 should be in employment;
- at least 60 % of adults (25-64) should participate in training every year; and
- the number of people at risk of poverty or social exclusion should be reduced by at least 15 million.

It is a significant achievement for disability equality mainstreaming in the Semester that the Social Scoreboard now contains a specific indicator for the disability employment gap, with supporting data that is increasingly capable for breakdown by disability status where relevant for complementary analysis. This is welcome in the long-term development of disability equality indicators by the Commission and Eurostat over the past decade.<sup>68</sup> The EDE country fiches contained statistical annexes consistent with the methodology of the former EU2020 headline indicators, based on the EDE statistical reports. A situational analysis is provided later in this synthesis report in relation to selected questions and challenges arising from the employment and poverty data.<sup>69</sup>

### 1.10 Preview of the 2023 National Reform Programmes (NRPs)

NRPs were published in May 2022 for 25 Member States, many more than in 2021, and in 2023 for all Member States except Estonia (at the time of writing). These documents provided a key reference point for the Semester analysis by EDE’s country experts during 2022. Not all the 2023 NRPs were available in the working language of

<sup>68</sup> Priestley, M., & Grammenos, S. (2021). How useful are equality indicators? The expressive function of ‘stat imperfecta’ in disability rights advocacy. *Evidence & Policy: A Journal of Research, Debate and Practice*. 17(2):209-226, <https://doi.org/10.1332/174426421X16141001670976>.

<sup>69</sup> Corresponding data on adult participation in training is not yet available for analysis but some related questions and challenges, concerning early school leaving and tertiary educational completion, are addressed in previous ANED and EDE reports.

the EDE project (English) but all were previewed for key search terms relating to disability, to highlight potential points of interest for the Commission.

In 2022 some omissions were observed. For example, Annex 4 to Croatia's NRP (Report on the implementation of the European Pillar of Social Rights) included no information in relation to Principle 17 (Inclusion of people with disabilities), despite these issues being quite well integrated in the main text of the NRP. Slovakia's NRP did not mention the National Programme on Improving the living conditions of persons with disabilities for 2021-2030 or make links to relevant disability policies where these could be easily transposed. Similarly, Slovenia's NRP did not mention its new Action Programme for Persons with Disabilities 2022–2030, and Spain's NRP did not refer to its Disability Strategy 2022-2030. Nor was there consistency between years. For example, the Belgian NRP linked to the 2021-2024 disability action plan (Actieplan handicap / Plan d'action handicap) in 2022 but not in 2023. Similarly for Czechia the 2023 NRP dropped its reference to the National Plan for the Promotion of Equal Opportunities for People with Disabilities 2021-2025.

As outlined later, this kind of cross-referencing to national disability action plans is a useful way to strengthen disability mainstreaming in the NRPs. Information to assist with this is provided later (see Section 0). Some of these links were, however, evident in a preliminary review of the 2023 NRPs. For example, Austria's NRP included a section on the significance of employment policies as a means to inclusion for persons with disabilities. This linked to investment under the Disability Employment Act, COVID-19 recovery, and to development of the new disability action plan:

'To strengthen the rights of people with disabilities and to implement the UN Convention on the Rights of Persons with Disabilities, on 6 July 2022 the Federal Government presented the National Disability Action Plan 2022 – decided in 2030. The plan, drawn up with the participation of civil society, is being implemented by all federal ministries and the nine federal states and contains 288 objectives and 375 measures.' (p. 28, author translation)

The Italian NRP included a focused section on Disability Policies, referring to implementation of the CRPD and EU disability strategy, and committing to implement an enabling law by March 2024, aligning disability assessment systems. Only the Swedish NRP mentioned explicitly transposition and implementation of the EU Accessibility Act (although others referred to investments in accessibility), and included stakeholder input, with one proposal to, 'Integrate objectives relating to persons with disabilities in all areas of the national reform programme' (p.192).

The diverse measures identified from a review disability search terms in the 2023 NRPs are summarised in Table 2 below, as a basis for further analysis by the Commission. Overall, fewer direct references were found in the 2023 NRPs than in 2022, sometimes notably so. For example, the Bulgarian NRP made more than 30 references to disability in 2022 but only two in 2023. There were no references to disability in Germany's 2023 NRP (compared to 18 in 2022), or in the Slovakian NRP, and the Spanish NRP was reduced to one reference only. Conversely, references to disability in the NRP for Cyprus and Croatia increased to more than 50 in 2023, and the Luxembourg and Romanian NRPs contained more than 60 references, including sections on disability strategy and action plans. The Irish NRP addressed

‘Employment of People with Disabilities’ as a priority (responding to a wide disability employment gap indicator).

The Cyprus NRP included sections on ‘Special educational needs of children with disabilities’ and the ‘Subsidy Scheme for the Employment of unemployed people with disabilities’, as well as project investments in ‘Expansion and Upgrading of the System for Disability Assessment’, support for independent living, and a ‘A new network of social inclusion services to persons with disabilities’. There were also references to making transport investments accessible and to ‘Tackling energy poverty in households with disabled people’. This was a good example of disability mainstreaming that followed much of the advice advocated in the EDE reports.

**Table 2: Text references to disability policies in the 2022 NRPs**

| MS | Language | Text references              | Examples of relevance to disability  |
|----|----------|------------------------------|--|
| AT | German   | 10 references to behinder... | Participation in work as central element for the participation of people with disabilities in society<br>Network for Professional Assistance (NEBA)<br>Additional funds under the Disabled Persons Employment Act<br>UN CRPD implementation<br>National Action Plan on Disability 2022-2030<br>Measures to cushion the effects of the COVID-19   |
| BE | French   | 18 references to handicap... | Employment inequalities for women with disabilities<br>Flanders – individual adapted work<br>Brussels Region – paid educational leave<br>Income replacement allowance increased<br>Reform of disability assessment procedure.<br>Launch of BELMOD online benefit calculation tool<br>ESF+ Programme 2021-2027 Wallonie-Bruxelles – investment in deinstitutionalization  |
| BG | English  | 2 references to disab...     | Targeted support to provide integrated health and social care in the community<br>2021-2027 OPHRD finances measures to overcome inequalities   |
| CY | English  | 53 references to disab...    | Education for children with disabilities<br>Childcare – Centres for children with disabilities<br>Subsidy Scheme for the Employment of unemployed people with disabilities<br>Strengthening social services<br>National Disability Action Plan for 2021-2023<br>Investing in ‘home structures’ for long-term care (institutions?)<br>Upgrading of the System for Disability Assessment<br>Support Services for Independent Living in the Community<br>Centre for Family Intervention and Support for Autism<br>New Network of Social Inclusion Services to Persons with Disabilities<br>Investment in accessible transport |

| MS | Language          | Text references              | Examples of relevance to disability   |
|----|-------------------|------------------------------|---|
|    |                   |                              | Tackling energy poverty in households with disabled people<br>Social inclusion and poverty reduction  |
| CZ | English           | 6 references to disab...     | Increased benefit rate (mobility allowance)<br>Disability pensions (rising claims)  |
| DE | English           | 0 references to disab...     | No specific detail on disability policies in the NRP  |
| DK | English           | 6 references to disab...     | New criteria for student grants<br>General social services<br>Specialisation in care planning<br>Proposed action plan to provide employment opportunities for persons with disabilities   |
| EE | NRP not available | n/a                          |   |
| EL | English           | 16 references to disab...    | Programme targeting critical long-term unemployment groups<br>Public sector recruitment<br>Deinstitutionalization and independent living for children<br>Project – Placement of Minors with Severe Disability (over 67 %) and/or Severe Mental Disorders, in the Care of Professional Foster Carers<br>Transport concessions – OASA<br>Accessible rail and metro upgrades<br>Recycle appliances and hot water schemes, reducing household energy footprint<br>Project – Digital tools for students with disabilities<br>Sport facility aiming at people with disabilities<br>Educational support              |
| ES | Spanish           | 1 references to discapac...  | Inclusive Campus Program, Campus without limits   |
| FI | English           | 24 references to disab...    | Benefits related to work ability and disability<br>Disability council to be appointed in each wellbeing services county<br>Strategy for social enterprises<br>Programme for boosting employment through procurement in municipalities<br>Act on Työkanava Ltd entered – a wholly state-owned special assignment company<br>Extension of the work ability programme and Individual Placement and Support development project<br>Mental Health at Work Programme – reducing sickness absences and disability pensions<br>National action plan Right to social inclusion and equality 2020–2023 (linked to CRPD) |
| FR | French            | 38 references to handicap... | Extension of hiring assistance for professional training contracts<br>Extension of the Supported Employment system to provide individualised support<br>Change in calculation of Allowance for disabled adults (AAH) (Déconjugalisation)<br>Focus on addressing unemployment<br>Reform of public employment service Pôle emploi<br>Promote rapid return to the labour market through the integration of Cap'Emploi  |

| MS | Language  | Text references            | Examples of relevance to disability  |
|----|-----------|----------------------------|--|
|    |           |                            | <p>Model based on disability experts within PES</p> <p>Targeted investment in skills assessment and development</p> <p>New training rights</p> <p>Distance learning</p> <p>Youth employment</p> <p>Autism teaching units in kindergarten and elementary school and ‘inclusion’ units in schools</p>  |
| HR | English   | 57 references to disab...  | <p>Road Transport – mobility plan for persons with disabilities by the end of 2023</p> <p>Project – Improving Access for Vulnerable Groups to the Labour Market in the Tourism and Hospitality Sector II</p> <p>Ordinance on Primary and Secondary Education of Pupils with Disabilities (exams)</p> <p>Draft Act on Primary and Secondary School Education (curriculum)</p> <p>Amendments to the Pension Insurance Act</p> <p>Guaranteed minimum benefit (GMB)</p> <p>The amount of personal disability allowance was increased, and other disability benefits</p> <p>Measures to mitigate the impact of increased energy prices</p> <p>Draft Inclusive Supplement Act (right to personal disability allowance and assistance and care allowance)</p> <p>National Plan for Equalisation of Opportunities for Persons with Disabilities for the Period 2021-2027 (and action plan 2021-2024)</p> <p>Deinstitutionalisation and Prevention of Institutionalisation of Persons with Disabilities</p> <p>Personal assistance schemes</p> <p>Accessible transport investments – low-floor and semi-low-floor trams</p> <p>Flexible hybrid working arrangements</p> |
| HU | Hungarian | 9 references to fogyték... | <p>Increased family allowance for chronically ill or severely disabled children</p> <p>Children’s holiday scheme (Erzsébet camps)</p> <p>Deinstitutionalisation (linked to CRPD)</p> <p>Investment in development of transition to community-based services</p>  |
| IE | English   | 24 references to disab...  | <p>Pathways to Work Strategy</p> <p>Extension of the JobsPlus financial incentive</p> <p>Work Placement Experience Programme (WPEP)</p> <p>Comprehensive Employment Strategy for People with Disabilities (CES) (2015-2024)</p> <p>Disability employment rate target</p> <p>Community Services Programme (CSP) – social enterprise</p> <p>Evaluation of the National Disability Inclusion Strategy (NDIS) 2017-2022</p>  |
| IT | Italian   | 25 references to disab...  | <p>Support for families with disabled children</p> <p>Administrative simplification</p> <p>Social Operational Plan – supporting independence of older people</p> <p>Reform of disability assessment system</p>   |

| MS | Language   | Text references              | Examples of relevance to disability  |
|----|------------|------------------------------|--|
| LT | Lithuanian | 9 references to neįgali...   | <p>Links to CRPD</p> <p>Implementing a new model of disability assessment and determination</p> <p>Amendments to the Law on Social Integration of the Disabled and other related legal acts</p> <p>One stop model, assessing needs</p> <p>Disability employment rate target</p> <p>Widening coverage of single person's allowance</p> <p>Project – Creating a long-term care service provision model (postponed)</p> <p>Amendment of the Law on Long-term Care</p> <p>Adaptation of public transport for persons with limited mobility</p> <p>Extreme poverty concerns</p> <p>Targeted benefits</p> <p>Emphasis on labour market activation</p>  |
| LU | French     | 65 references to handicap... | <p>Professionalization internship and the reintegration-employment contract (targeting disabled jobseekers)</p> <p>ADEM – ‘assistance with inclusion in employment’</p> <p>Study – assessment of the current ASP system of support for autonomy (linked to CRPD).</p> <p>Anticipates creation of a personal assistance budget system for independent living support</p> <p>National Action Plan for the Implementation of the United Nations Convention on the Rights of Persons with Disabilities 2019-2024</p> <p>New law on accessibility of built environment.</p> <p>Increased benefit rates (and post-COVID support measures)</p>  |
| LV | Latvian    | 24 references to invalid...  | <p>Focus on cost-of-living crisis and disability benefits</p> <p>Exemption from health care co-payments</p> <p>Additional support for housing benefit</p> <p>Revision of minimum income thresholds</p>   |
| MT | English    | 19 references to disab...    | <p>Increased Carers' Grant to parents who provide care to their severely disabled children</p> <p>Increased Severe Disability Allowance</p> <p>Government as a guarantor for a life insurance policy for home buyers</p> <p>Links to Social Pillar principle 17</p> <p>Making primary schools dyslexia-friendly</p> <p>Supporting students with disabilities in transition to post-secondary education and the workforce</p> <p>Access to bilateral hearing aids</p> <p>Priority focus on inclusion of persons with disabilities</p> <p>Aġenzija Sapport – ‘Way to Work’ training sessions</p> <p>2021-2030 National Strategy on the Rights of Disabled Persons, ‘Freedom to Live’</p> <p>MCAST – support to learners with disabilities through its Inclusive Education Unit (IEU)</p> |

| MS | Language   | Text references  | Examples of relevance to disability   |
|----|------------|--|---|
| NL | Dutch      | 0 direct references to handicap...                         | Disability insurance cover for self-employed (HVP)  |
| PL | Polish     | 7 references to niepełnosp...                              | Labour market reform for more comprehensive and consistent support (target groups)<br>Strengthening vocational guidance<br>Flexible working – Amendment to the Labor Code<br>Better targeting and access to social benefits for people in need – MRiPS<br>Annual Action Plan for Supporting People with Disabilities for 2023   |
| PT | Portuguese | 32 references to deficienc... (6 references to invalid...) | Investment in autonomy and inclusion of persons with disabilities<br>Upgrading of disability pensions, old age and other allowances (including retirement)<br>National Strategy for the Inclusion of People with Disabilities 2021-2025<br>Model of Support for Independent Living, based on personal assistance<br>Launch of a program to support the hiring and employability of people with disabilities.<br>RRP investment in physical and digital accessibility<br>Support for entrepreneurship<br>Internships (target groups)<br>Parental leave allowances<br>COVID-19 support measures (including rapid intervention for residential care facilities)<br>Social Services and Facilities Network Expansion Program (PARES) – community based and institutional (among 365 projects, 75 are dedicated to residential homes). |
| RO | Romanian   | 66 references to dizabilităţ...                            | National Disability Management System<br>Legislation regarding the implementation of the National Strategy for the prevention of institutionalization<br>Social service providers accredited under the law may no longer establish residential centres for adults with disabilities<br>Links to CRPD<br>Acceleration of the deinstitutionalization process (including EU funded)<br>Training of personal assistants in national network<br>Increase capacity of PES (SPO)<br>Work training programmes<br>National Strategy on the Rights of Persons with Disabilities 2022-2027 'A Fair Society'  |
| SE | Swedish    | 24 references to funktionsned...                           | Additional funds for special education - smaller teaching groups and support<br>Statistics Sweden – analysis of wage and income differences for women and men with disabilities<br>Implementation of the EU accessibility directive<br>Data on disabled learners in different contexts.<br>Worsening disability employment gap  |

| MS | Language  | Text references              | Examples of relevance to disability   |
|----|-----------|------------------------------|---|
|    |           |                              | <p>Recommendation to prioritize reduced gaps for persons with disability in national goals relating to education, work, livelihood and housing.</p> <p>Proposal to mainstream disability in all objectives of the NRP - stakeholder views</p> <p>Example of 'The way out!' programme – cooperatives run 14 companies to help rehabilitate persons with disabilities</p> <p>Proposed amendments to the law for a strengthened right to personal assistance</p> <p>Increased guarantee level in sickness and activity compensation and increased housing supplement</p> <p>Funktionsrätt Sverige – example projects aim to reduce the disability employment gap</p> |
| SI | English   | 13 references to disab...    | <p>Vulnerability in the labour market</p> <p>Pension reform – review of pension and disability insurance system</p> <p>Consultation on reform to balance adequacy and sustainability</p> <p>Uplift of existing benefits</p> <p>Review of progress on accessibility after 15 years of the Equalisation of Opportunities for Persons with Disabilities Act</p>  |
| SK | Slovakian | 2 references to postihnut... | No direct references to the situation of persons with disabilities or disability policies in the NRP  |

### 1.11 The Commission Country Reports

The analytical phase of the Semester includes Country Reports prepared by Commission staff. These were published most recently in May 2023.<sup>70</sup> These reports highlight key challenges, gaps and promising practices that feed into the consideration of recommendations to the Member States. Increasing the attention given to disability equality in these analytical reports, and the quality of analysis, is important for the success of mainstreaming in the Semester process.

For the first time in 2022, all the Country reports referred to the new disability employment gap indicator in the Social Scoreboard supporting the Social Pillar, which also classified Member States' performance on a seven-point scale (from 'critical situation' to 'best performers'). This was a major step forward in disability equality mainstreaming for the Semester and continued in 2023 but, overall, disability statistics and policy issues still achieved a lower visibility profile in the Country Reports than in 2019 before the COVID-19 crisis (during which time they were effectively suspended).

The disability employment gap indicator was added to the Social Scoreboard under the theme of 'Social protection and inclusion', while the Gender employment gap is listed under 'Equal opportunities and access to the labour market'. This may be due to the role played by the Social Protection Committee in advancing it for inclusion, but remains something of an anomaly. It is also worth noting that, while the Scoreboard lists the indicator as a 'ratio' it is in fact displayed as a gap in percentage points (as for

<sup>70</sup> European Commission (2023) *2023 European Semester: Country Reports*, [https://economy-finance.ec.europa.eu/publications/2023-european-semester-country-reports\\_en](https://economy-finance.ec.europa.eu/publications/2023-european-semester-country-reports_en).

the gender employment gap). Using a similar points methodology to the gender gap is helpful for headline comparison, and for promoting disability equality mainstreaming on a par with gender mainstreaming (i.e. the disability employment gap far exceeds the gender employment gap, although the disability effect is also compounded by gender when broken down in deeper analysis). Nevertheless, for purposes of comparison between countries an indicator based on disability employment ratio would be useful too (this is discussed and estimated for illustration later in this report, see Section 5.2.2).

Many of the references to ‘older workers’ in the Country Reports express concerns about participation that might relate more to disability than to age. For example, Commission concerns about early exit from the labour force, or long-term unemployment, among older workers often refer to the need for re-skilling when a significant proportion might relate to access to disability employment support or accessibility of the workplace. The prevalence of impairment in Member States’ populations rises strongly from about age 40 and the analysis of disability indicators consistently points to widening disability employment gaps with rising age in this group. Understanding age group breakdowns of the disability data, as well as gender breakdowns, is therefore important (this is evidenced in detail in the accompanying EDE statistical report and illustrated later in this report in Section 5.3.3).

Some of the reports utilise a wider range of disability data from supplementary indicators, such as those provided in the EDE disability fiches, or scientific studies. For example, the 2022 Country Report for Bulgaria introduced employment rates as well as gaps. The reports for Belgium, Ireland and Italy cited disability data on risk of poverty or social exclusion. Estonia alluded to these and to indicators on early school leaving, as did the Poland report. It is notable that some of those reports cited the relevant EDE Semester country fiche on disability equality as evidence. The number of direct text references varied considerably, from none in the Luxembourg report (apart from the Scoreboard indicator) to more than ten in the reports for Estonia, France, Ireland, Malta and Romania.

All of the 2023 Country Reports referred to disability at least once because the disability employment gap indicator is now a standardised feature of the reporting format. This represents progress in mainstreaming disability equality into the Semester process over the period under review (2021-2023). However, the attention to disability issues remains somewhat patchy across the 27 Country Reports beyond the headline indicator.

All of the Country Reports listed the Disability employment gap in the table of Social Scoreboard headline indicators and categorise performance on a seven-point colour coded scale (from Critical situation to Best performers). In two Country Reports (Luxembourg and Spain) this table was the only reference to disability and there was no attention to disability issues in the text. The other 25 Country Reports all referred to persons with disabilities or disability policies in some way, although this varied both in focus and extent.

The Country Report for Latvia highlighted ‘Some progress’, via relevant RRP measures in 2021-2022, against the 2019 CSR, which had recommended to: ‘Address social exclusion notably by improving the adequacy of minimum income benefits,

minimum old-age pensions and income support for people with disabilities'.<sup>71</sup> In some other countries, disability issues were flagged among the key deliverables expected from the RRP in 2023/2024. Such deliverables should be monitored with attention to disability equality outcomes in the 2024 Semester. These are highlighted below.

Examples of RRP deliverables mentioned in the 2023 Country Reports:

- Greece: Advancing on the de-institutionalisation of children, notably through the placement of minors with severe disability and/or mental disorders [sic.] in the care of professional foster carers and the placement of adolescents in semi-independent living apartments.
- Estonia: Entry into force of the Decree of the Minister of Social Protection to support the independent living of older people with lower care needs and people with disabilities.
- France: Two reforms included in the plan were already implemented in 2021: (i) a law reforming hospital governance, which will make the organisation of hospitals more flexible; and (ii) a law on social debt and autonomy, which supports the independence of older people and people with disabilities.
- Croatia: Establishing a functional system for the exercise of the rights of persons with disabilities in the field of transport
- Italy: Key deliverables include a reform of services for non-self-sufficient elderly people, the adoption of implementing decrees to reform of the framework law on disability, and full implementation of the actions under the reform to combat undeclared work.

The country Report for Bulgaria highlighted the situation of persons with disabilities several times, both in terms of challenges and improvements, and including among recommendations to go beyond the measures in the RRP to address inclusion.<sup>72</sup>

'Beyond the reforms and investments in the RRP, Bulgaria would benefit from: ... Further strengthening active inclusion by integrating employment and social services and providing active labour market policies in order to narrow regional disparities and tackle the challenges of vulnerable groups, including Roma and people with disabilities' (p. 17)

Similarly, in the Country Report for Malta:<sup>73</sup>

'Beyond the reforms and investments in the RRP, Malta would benefit from: ... strengthening targeted policies to help women and people with disabilities to find work'

<sup>71</sup> European Commission, 2023 Country Report – Latvia, SWD(2023) 614 final, [https://economy-finance.ec.europa.eu/system/files/2023-05/LV\\_SWD\\_2023\\_614\\_en.pdf](https://economy-finance.ec.europa.eu/system/files/2023-05/LV_SWD_2023_614_en.pdf).

<sup>72</sup> European Commission, 2023 Country Report – Bulgaria, SWD(2023) 602 final, [https://economy-finance.ec.europa.eu/system/files/2023-05/BG\\_SWD\\_2023\\_602\\_en.pdf](https://economy-finance.ec.europa.eu/system/files/2023-05/BG_SWD_2023_602_en.pdf).

<sup>73</sup> European Commission, 2023 Country Report – Malta, SWD(2023) 618 final, [https://economy-finance.ec.europa.eu/system/files/2023-05/MT\\_SWD\\_2023\\_618\\_en.pdf](https://economy-finance.ec.europa.eu/system/files/2023-05/MT_SWD_2023_618_en.pdf).

The Report for Portugal was unusual in reporting only positive aspects of disability trends and policies.

The Country Report for Ireland was notable for the extent to which it addressed disability issues.<sup>74</sup> This included the highlighted challenge that, ‘The inclusion of persons with disabilities in the labour force is another longstanding challenge’ (p. 56). This attention was merited by the identification of a ‘Critical situation’ for the headline indicator on the disability employment gap, and weak performance on other relevant indicators (such as participation in education and training). The gap analysis provided in the Commission Staff Working Document was backed up with references to published studies and to relevant policy measures. Despite this effort, the 2023 CSR for Ireland made no reference at all to disability issues. On the one hand, the Country Report provides an example of good practice in mainstreaming disability equality in the Commission staff analysis. On the other hand, the corresponding CSR illustrates a failure of the Semester policy process to translate evidenced based analysis of priorities into relevant recommendations.

In several Country Reports the focus is on the headline indicator of the disability employment rate gap. For example the Country Report for Denmark cites the Scoreboard indicator to claim that ‘The disability employment gap, which had been higher than 16 percentage points (pps) since 2014, was halved to 7.9 pps in 2021’.<sup>75</sup> Given the persistence of the disability employment gap as a long-term policy challenge, this achievement seems surprising and is not easily accounted for by national policy reforms during the year 2020-2021. It is also possible that there was an anomaly in the data collection or reporting for EU-SILC during the COVID-19 crisis, which is considered later (however, these figures were reported on the Eurostat database during the period of preparation for the Spring Package). The risk of poverty or social exclusion (AROPE) is also mentioned in several countries.

Other Country Reports addressed disability as a concern, or a focus for reform, across a wider range of policy functions. For example, the Country Report for Cyprus referred to disability more than ten times across a range that included employment, unemployment, poverty or social exclusion, early school leaving, active labour market policies, accessible transport, social inclusion and long-term care services.<sup>76</sup> The extent and coverage of disability issues across the 2023 Country Reports are shown for all Member States in Table 3 below.

**Table 3: References to disability issues in the 2023 Country Reports**

| MS | References | Example text extracts   | page |
|----|------------|---|------|
| AT | 3          | The participation of persons with disabilities in the open labour market has deteriorated, with Austria’s <b>disability employment gap</b> increasing by 4.6 pps in 2021 to 25.1 pps, exceeding the EU average of 23.1 pps. | 61   |

<sup>74</sup> European Commission, 2023 Country Report – Ireland, SWD(2023) 607 final, [https://economy-finance.ec.europa.eu/system/files/2023-05/IE\\_SWD\\_2023\\_607\\_en.pdf](https://economy-finance.ec.europa.eu/system/files/2023-05/IE_SWD_2023_607_en.pdf).

<sup>75</sup> European Commission, 2023 Country Report – Denmark, SWD(2023) 604 final, [https://economy-finance.ec.europa.eu/system/files/2023-05/DK\\_SWD\\_2023\\_604\\_en.pdf](https://economy-finance.ec.europa.eu/system/files/2023-05/DK_SWD_2023_604_en.pdf).

<sup>76</sup> European Commission, 2023 Country Report – Cyprus, SWD(2023) 613 final, [https://economy-finance.ec.europa.eu/system/files/2023-05/CY\\_SWD\\_2023\\_613\\_en.pdf](https://economy-finance.ec.europa.eu/system/files/2023-05/CY_SWD_2023_613_en.pdf).

|           |    |  |     |
|-----------|----|--|-----|
| <b>BE</b> | 7  | Disadvantaged groups are less integrated in <b>the labour market</b> . These include people with low education attainment, a migrant background or with disabilities.  | 11  |
|           |    | Children with parents with a low level of education and young people with disabilities are more likely to <b>leave school early</b> .  | 12  |
|           |    | In particular for vulnerable groups, such as low-educated adults, people with a migrant background and people with disabilities, <b>labour market participation</b> remains low.   | 22  |
|           |    | The <b>employment gap</b> between persons with and without disabilities is one of the highest in the EU and continues to increase (38 percentage points (pps) in 2021 vs 32 pps in 2018).  | 54  |
|           |    | The European Social Fund Plus (ESF+) will focus on active social inclusion of disadvantaged groups by rolling out more <b>integrated insertion</b> itineraries, including for persons with disabilities.   | 55  |
|           |    | More than one in three young adults with disabilities do not finish secondary education and their limited <b>participation in higher education</b> is one of the reasons for their low employment rate.  | 56  |
| <b>BG</b> | 10 | <b>Non-participation in the labour market</b> is particularly high among young people, the low educated, people with disabilities, Roma as well as in poorer and rural areas.  | 3   |
|           |    | Low educational outcomes also hurt Bulgaria's growth potential... Roma <b>inclusion in education</b> remains a challenge, as well as the inclusion of people with disabilities.  | 4   |
|           |    | Despite improvements, structural challenges remain, particularly for vulnerable groups. This includes groups such as children, people with disabilities, Roma, young people and those living in rural and remote areas. These challenges are linked to the <b>labour market, social inclusion and the take-up of education and training</b> .            | 14  |
|           |    | Levels of <b>poverty and income inequality</b> are particularly high among children, people with disabilities, Roma and those living in rural and remote areas... The share of children in poverty or social exclusion stood at 33 % and for people with disabilities at 45.3 %, both among the highest in the EU.                                       | 14  |
|           |    | Beyond the reforms and investments in the RRP, Bulgaria would benefit from: Further strengthening active inclusion by integrating employment and social services and providing <b>active labour market policies</b> in order to narrow regional disparities and tackle the challenges of vulnerable groups, including Roma and people with disabilities. | 17  |
|           |    | The <b>employment rate</b> of persons with disabilities also continued its upward trend, reducing the gap with persons without disabilities from 33 pps in 2020 to 22.1 pps in 2021, slightly below the EU average (23.1 pps).   | 58  |
| <b>CY</b> | 11 | The youth <b>unemployment</b> rate (15-24 years old) remains high and the employment gap between people with and without disabilities widened.   | 5   |
|           |    | In general, the risk of <b>poverty or social exclusion</b> is low, but it is higher for disadvantaged groups, such as people with disabilities and people born outside the EU.   | 5   |
|           |    | [The RRP] includes calls for proposals for investments promoting <b>energy efficiency</b> ... They should encourage the use  | 8-9 |

|           |   |   |    |
|-----------|---|---|----|
|           |   | of renewable energy sources in old dwellings, including in energy poor households, in households with people with disabilities and in old infrastructure used by local authorities.   |    |
|           |   | Cyprus' RRP and the Cohesion Policy programme 'Thalia' includes investment in sustainable urban and rural transport projects, promoting public and non-motorised transport, and accessibility-enhancing measures which will improve <b>urban transport</b> for all users, including people with disabilities.           | 43 |
|           |   | The disability <b>employment gap</b> increased considerably to 27 pps in 2021 from 23.5 pps in 2020, which is above the EU average of 23.1 pps.   | 57 |
|           |   | Measures under the European Social Fund Plus (ESF+) in support of <b>active labour market policies</b> [for persons with disabilities], ...are expected to help address the challenges mentioned above.   | 57 |
|           |   | The <b>early school leaving rate</b> in Cyprus decreased sharply by 1.3 pps, but, at 10.2 % in 2021, it is still above the EU average of 9.7 %. It is particularly high among non-EU-born people and persons with disabilities.   | 57 |
|           |   | The share of people at <b>risk of poverty or social exclusion</b> (AROPE) in 2021 was relatively low in Cyprus at 17.3 %, which is below the EU average of 21.7 %. However, the rate is higher for specific groups, such as persons with disabilities at 29.1 %, although slightly lower than the EU average of 29.7 %. | 58 |
|           |   | ESF+ measures to create a network of <b>social inclusion services</b> , including home-care support for persons with disabilities, are expected to strengthen equal opportunities and support social inclusion for people in vulnerable situations.   | 58 |
|           |   | Cyprus' RRP and ESF+ operational programme will help address this problem by supporting <b>long-term care infrastructure and services</b> for older people and persons with disabilities.   | 58 |
| <b>CZ</b> | 4 | ... reductions in <b>social security contributions</b> to promote part-time work for specific groups such as older people, young parents, students and people with disabilities with the aim to increase the participation rates of these groups in the labour market.  | 10 |
|           |   | The disability employment gap was above the EU average.   | 57 |
|           |   | Access to quality community-based services remains limited for some people in need. The lack of <b>community-based social and health services</b> mainly affects women, older people, and persons with disabilities.  | 58 |
|           |   | Inequalities are a persistent challenge in Czechia's education and training system... frequent misdiagnoses of learning disabilities and the lack of societal consensus on the benefits of <b>inclusive education</b> hinder progress.  |    |
| <b>DE</b> | 7 | A large gap remains between the <b>employment rate</b> of people with and without disabilities (30.5pps in 2021).   | 4  |
|           |   | To alleviate these <b>labour shortages</b> , more could be done to tap the potential of women as well as of low-qualified people, people with disabilities and migrants.  | 15 |
|           |   | <b>Targeted labour market inclusion measures</b> for people with disabilities and improving basic skills of disadvantaged groups could also contribute to tackling labour shortages and to raising  | 15 |

|           |   |  |      |
|-----------|---|--|------|
|           |   | the employment rate to Germany's national target of 83 % by 2030.  |      |
|           |   | Germany's <b>employment gap</b> of persons with disabilities was one of the highest in 2021 at 30.5pps vs 23.1pps in the EU.   | 63   |
|           |   | More than 300 000 persons with disabilities are employed in <b>sheltered workshops</b> , and there is a very low transition rate to the primary labour market. Addressing those challenges would help Germany reach its 2030 employment target of 83 %.  | 63   |
|           |   | The share of persons with disabilities [at risk of <b>poverty or social exclusion</b> ] (30.1 %) continued to be higher than the EU average (28.8 %). To address these challenges, Germany is allocating a considerable share of funding under the European Social Fund Plus (ESF+) to programmes that foster social inclusion in general (32.8 %).    | 64   |
| <b>DK</b> | 4 | Denmark has managed to substantially improve the <b>labour market integration</b> of young people and persons with disabilities, while unemployment remains high among foreign-born residents.   | 3    |
|           |   | Denmark managed to substantially improve the <b>labour market integration</b> of young people and persons with disabilities, while the gender employment gap remains stable.   | 58   |
|           |   | The <b>disability employment gap</b> , which had been higher than 16 percentage points (pps) since 2014, was halved to 7.9 pps in 2021. The employment gap fell for people with only some activity limitations (from 11.5 pps in 2019 to 5.2 pps in 2021) and for people with severe activity limitations (from 37.4 pps in 2019 to 20.9 pps in 2021). | 58   |
| <b>EL</b> | 9 | With support from the RRF, Greece has ... introduced a <b>personal assistance</b> pilot scheme for people with disabilities that applies a new disability assessment approach in line with EU best practices.  | 8    |
|           |   | Key deliverables under the RRP in 2023-24... Advancing on the <b>de-institutionalisation of children</b> , notably through the placement of minors with severe disability and/or mental disorders in the care of professional foster carers and the placement of adolescents in semi-independent living apartments.                                    | 10   |
|           |   | Recovery and Resilience Facility will support a wide range of <b>measures to promote employment</b> , including among women, the long-term unemployed and people with disabilities, and upgrade the national healthcare system.  | 27   |
|           |   | In July 2022 a new application, Gov.gr Wallet, was launched, allowing <b>digital documents</b> (e.g. national identity cards, driving licences and disability cards) to be fully equivalent to paper documents for any legal use within the Greek territory.   | 53-4 |
|           |   | The <b>disability employment gap</b> was also slightly above the EU average (23.8 pps in 2021 vs 23.1 pps), and persons with disabilities find it difficult to access training.  | 63   |
|           |   | The scope of social, healthcare, and long-term care services to improve the situation of vulnerable groups is limited. The <b>deinstitutionalisation</b> process for children and persons with disabilities saw little progress in 2021.   | 64   |
| <b>ES</b> | 1 | [No disability reference in the Country Report, beyond the Scoreboard]   |      |

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| EE | 4 | While <b>poverty</b> has been gradually decreasing, it remains high for unemployed people, people with disabilities, and older people  | 4  |
|    |   | Key deliverables expected under the recovery and resilience plan in 2023/2024... Social protection: Entry into force of the Decree of the Minister of Social Protection to support the <b>independent living</b> of older people with lower care needs and people with disabilities.   | 8  |
|    |   | The risk of <b>poverty or social exclusion</b> remains high among vulnerable groups. The share of people at risk of poverty or social exclusion (AROPE) continued to decrease from 23.7 % in 2019 to 22.8 % in 2021 (EU: 21.9 %). However, persons with disabilities face a high risk of poverty or social exclusion (40.4 % in 2021) compared to the EU average (28.9 %).   | 55 |
| FI | 8 | Despite favourable social developments, some groups in Finland are still in a weak labour market position. The <b>disability employment gap</b> decreased to 19.0 percentage points (pps) in 2022 and youth unemployment fell by 2.9 pps to pre-pandemic levels (14.2 % in 2022).  | 3  |
|    |   | Finland has had several pathways to <b>early retirement</b> in the past, i.e. unemployment benefits, unemployment pension, disability pension and early retirement pension. Finland recently reformed its pension system (2017) and phased out early retirement pathways, leaving in place only disability pension, partial old-age pension and years-of-service pension.  | 6  |
|    |   | The <b>disability employment gap</b> increased between 2020 and 2021 (from 19.9 pps to 22.1 pps), remaining above that of Nordic peers, although slightly below the EU average. Under its RRP, Finland is taking steps to promote the employment of non-EU nationals and vulnerable groups, including persons with disabilities.   | 59 |
| FR | 5 | The percentage of <b>early school leavers</b> stood at 7.6% in 2022, continuing the downward trend of the last decade, but some disparities exist... The inclusion of pupils with a disability, while progressing, remains a challenge, mainly due to the shortage of support specialists and low accessibility.   | 13 |
|    |   | The <b>inclusion of pupils with a disability</b> remains a challenge. While inclusion has progressed (an additional 78 500 pupils with a disability attend mainstream schools compared with 5 years ago), the shortage of support specialists and low accessibility (physical and pedagogical) have hampered further progress.   | 63 |
|    |   | Through its recovery and resilience plan, France plans to invest EUR 4.5 billion (11.4 % of the plan's total value) to strengthen its health system... Two reforms included in the plan were already implemented in 2021: (i) a law reforming hospital governance, which will make the organisation of hospitals more flexible; and (ii) a law on social debt and autonomy, which supports the <b>independence</b> of older people and people with disabilities. | 65 |
| HR | 7 | At 28.7 percentage points in 2021, the <b>disability employment gap</b> was still among the highest in the EU.   | 4  |
|    |   | Key deliverables expected under the Recovery and Resilience Plan in 2023-24... Establishing a functional system for the  | 10 |

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|           |   | exercise of the rights of persons with disabilities in the field of <b>transport</b> .   |    |
|           |   | The <b>social protection system</b> insufficiently protects the most disadvantaged persons. While the rate of the population at risk of poverty and social exclusion is lower than the EU average, groups at higher risk include older people, especially women, and people with disabilities.   | 14 |
|           |   | Women, low-skilled workers, persons with disabilities and young people not in employment, education or training (NEET) continue to face particular challenges in getting access to quality <b>employment</b> .   | 57 |
|           |   | The <b>disability employment gap</b> is still high, even though it has slightly decreased (28.7 pps in 2021 against 23.1 pps in the EU). The gender employment gap dipped to 9.5 pps in 2022 (EU: 10.7 pps).   | 57 |
|           |   | Despite Croatia's robust economic growth, some groups are being left behind due to continuing weaknesses in the <b>social protection system</b> ... the AROPE rate is substantially higher than the EU average (33.8 % against 19.4 % in the EU in 2020) for older people, especially women (37.3 % against 21.8 % in the EU), and persons with disabilities (36.9 % against 28.8 % in the EU).  | 58 |
| <b>HU</b> | 8 | There is also a large pool of people who could be better integrated into the <b>labour market</b> , including women with care responsibilities and disadvantaged groups, in particular low-skilled people, Roma, and persons with disabilities. Unless further efforts are made in this area, it will be challenging for Hungary to reach the national employment target of 85 % by 2030.  | 5  |
|           |   | <b>Poverty indicators</b> show a mixed picture. While the overall poverty indicators have improved over the last decade, the relative situation of certain disadvantaged groups, such as low-income households, children, people with disabilities, Roma and people living in remote rural settlements has worsened.   | 14 |
|           |   | Shortages of labour and an <b>unutilised workforce</b> are present at the same time... While the overall employment rate is relatively high, certain disadvantaged groups, such as Roma, people with a low level of education, women with caring responsibilities and people with disabilities, have difficulties finding jobs due to weaknesses in the education, training and social assistance systems and in support structures for job seekers. | 15 |
|           |   | The overall <b>labour market</b> performance continues to improve, but considerable challenges remain for the long-term unemployed, Roma, persons with disabilities and people with low skills.  | 62 |
|           |   | The <b>disability employment gap</b> has also remained persistently high above 28 pps (EU: 23.1 pps) since 2014.   | 62 |
|           |   | There is room for social policies to tackle the growing economic and social difficulties. The <b>severe material and social deprivation</b> rate was still one of the highest in the EU in 2021 (10.2 % vs 6.3 % in the EU) and... The share of those who have difficulties in making ends meet is much higher among persons with disabilities (17.4 % vs 9.5 % in the EU).  | 63 |

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|           |    | The number of <b>tertiary graduates</b> cannot meet the growing demand for a highly skilled workforce... The proportion of students with disabilities remains below 1 % and university students with special needs face serious barriers to their studies  | 68 |
| <b>IE</b> | 25 | Disadvantaged groups continue to face significant labour market challenges and disproportionately high poverty risks. The social scoreboard, supporting the European Pillar of Social Rights (see Annex 14), indicates that the <b>disability employment gap</b> stood at 41.3 percentage points in 2021, among the highest in the EU.                                 | 2  |
|           |    | In 2021, the at-risk-of- <b>poverty or social exclusion</b> rate for people with disabilities and single parents was nearly double and triple that of the general population, respectively.  | 3  |
|           |    | <b>Long-term care</b> in Ireland faces challenges related to a focus on institutional care over more accessible and cost-effective home care... insufficient provision of community-based social services often means people with disabilities are dependent on institutional care.  | 13 |
|           |    | People with disabilities, single parents, Travellers, and persons living in <b>very-low-work-intensity</b> households still experience sizeable challenges in accessing labour markets.  | 14 |
|           |    | The new 'early engagement' method of the <b>public employment service</b> Intreo, if sufficiently resourced with specialised caseworkers, has the potential to increase access to employment for disabled jobseekers. At the same time, strengthening support services for employers who hire people with disabilities could facilitate recruitment and retainment.    | 14 |
|           |    | Both disabled people and Travellers tend to have <b>low qualifications</b> , pointing to a need for a more inclusive education system.   | 14 |
|           |    | Young workers (18-24 years), people with disabilities, ethnic minorities (e.g. Roma and Travellers), single parents and those with lower educational background face greater challenges with regards to <b>job transitions</b> /job changes when compared to the general population.   | 41 |
|           |    | As the <b>labour market</b> tightens, activating those who are still facing barriers to employment will be key... a particularly high share of people with low skills (35.2 %) and persons with disabilities (36.7 %) live in workless households.   | 56 |
|           |    | The <b>inclusion of persons with disabilities</b> in the labour force is another longstanding challenge. The disability employment gap increased in 2021 to 41.3 pps, 2.5 pps worse than 2020 and well above the EU average of 23 pps.   | 56 |
|           |    | The <b>AROPE rate</b> for persons with disabilities grew by 4.3 pps to 39.3 %, twice as high as for the general population and 10 pps higher than the EU average. The main reasons for this trend are low educational attainment, high early school leaving rates and EUR 8 700-12 300 in individual extra costs per year (e.g. for medicine, mobility and transport). | 57 |
|           |    | Some efforts have been made with a new <b>housing policy</b> recently introduced to support persons with disabilities.   | 58 |
|           |    | The rate of <b>early leavers</b> from education and training is low but remains high for people with disabilities. The early school leaving rate at 3.7 % in 2022 is among the lowest in the EU.   | 59 |

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|    |   | However, the rate among people with disabilities is comparatively high at 10.7 % (2018).   |    |
|    |   | Research highlights qualitative differences in disabled people's educational trajectories, with lower <b>participation in university studies</b> .   | 59 |
|    |   | The <b>tertiary educational attainment</b> rate rose again; however, the disability education gap remains wide... Despite progress, Irish people with disabilities still have a 20 % higher chance of having a low education (primary or lower-secondary level) than their non-disabled peers.   | 59 |
|    |   | The new national access plan (2022-2028) offers funding and support for <b>students from disadvantaged socio-economic backgrounds</b> , mature students, Irish travellers, Roma, and students with special educational needs, including those with intellectual disabilities.  | 60 |
| IT | 9 | <b>Income inequality</b> remained above the EU average in 2021... The risk of poverty and social exclusion is especially high for children, people with disabilities and people with a migrant background.   | 4  |
|    |   | The RRP aims to improve social inclusion and prevent marginalisation. Italy has launched a reform and has begun investing in <b>support for people with disabilities</b> , along with investments in adequate housing and in revitalising urban areas. The plan includes measures to improve social services and their coverage across the country. The 2021 Framework Law on Disability brought in a more multidisciplinary disability assessment and promoted autonomy and noninstitutionalised care. For 2023, the next steps are expected to be the implementing decrees of the reform of disability and a reform of the non-self-sufficiency condition. | 12 |
|    |   | Key deliverables expected under the RRP in 2023/2024... Key deliverables include a reform of services for non-self-sufficient elderly people, the adoption of implementing decrees to reform of the <b>framework law on disability</b> , and full implementation of the actions under the reform to combat undeclared work.  | 13 |
|    |   | [RRP] Reforms and investments to ... promote <b>social inclusion of vulnerable people</b> , for instance of people with disabilities, vulnerable families, and elderly people. The reforms include investments in social housing and improving the resilience of the healthcare system.  | 21 |
| LT | 9 | ...an additional benefit for disabled and elderly single persons has been introduced to tackle poverty in these vulnerable groups.   | 9  |
|    |   | The overall share of people at <b>risk of poverty or social exclusion</b> fell slightly between 2020 and 2021. However, compared to the overall rate of 23.5 % (in 2021) significantly higher rates have been observed for people over 65 (38.7 %) and for persons with disabilities (38.9 %).   | 14 |
|    |   | While investments are planned under the 2021-2027 EU cohesion policy funds, in particular to develop the <b>social housing</b> stock for disabled persons and large families, these would not be enough to address all needs.  | 15 |
|    |   | Setting up an accreditation scheme for the provision of social care, reviewing the <b>benefits system</b> for single persons with a  | 17 |

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|           |    | disability and older single persons, launching training and employment support schemes.  |    |
|           |    | Despite high levels of poverty and social exclusion among persons with disabilities, there is a shortage of <b>person-centred community-based services</b> . More than EUR 175 million of ESF+ funding is allocated to address the need for personalised services to persons with disabilities and other vulnerable groups. In addition, recent reforms on disability assessment and labour market participation of persons with disabilities are aimed to address the issues mentioned above. | 60 |
| <b>LU</b> | 1  | [No disability reference in the Country Report, beyond the Scoreboard]   |    |
| <b>LV</b> | 9  | [graph] <b>Additional monthly benefits</b> by target groups and types, 2022 social policy changes: pensioners, persons with disabilities.  | 3  |
|           |    | <b>Energy policy</b> response in Latvia: ...two measures providing additional monthly benefits to vulnerable households e.g. retired people, persons with disabilities, survivors, people and families on a low-income, large families and families with a child with disabilities.  | 6  |
|           |    | Latvia has launched programmes to improve <b>accessibility</b> for people with disabilities to public buildings, social-care facilities and individual homes.  | 8  |
|           |    | Single-parent households and persons with disabilities are particularly vulnerable to <b>poverty</b> .   | 14 |
|           |    | [2019 CSR] Address <b>social exclusion</b> notably by improving the adequacy of minimum income benefits, minimum old-age pensions and income support for people with disabilities.   | 25 |
|           |    | The <b>AROPE rate</b> for persons with disabilities is also one of the highest in the EU (41.2 % compared to 29.7 % in the EU), and the available support for persons with disabilities shows low adequacy.  | 57 |
| <b>MT</b> | 14 | Women and people with disabilities still experience difficulties in the labour market... People with disabilities face difficulties in finding work, with the <b>disability employment gap</b> standing at 27 pps (vs an EU average of 23.1 pps in 2021).  | 3  |
|           |    | In 2021, the <b>at-risk-of-poverty-or-social-exclusion rate</b> was 20.3 %, higher than the 19.9 % of the previous year but below the 2019 value of 20.7 %. However, this rate was especially high among non-EU nationals, low-skilled adults, people with disabilities and people over 65, especially older women.  | 3  |
|           |    | Despite favourable employment conditions, women and people with disabilities still experience difficulties in the <b>labour market</b> ... People with disabilities face difficulties in finding jobs, with the disability-employment gap standing at 27 pps (vs an EU average of 23.1 pps in 2021). There is scope for strengthening targeted policies to help women and people with disabilities to find work.   | 13 |
|           |    | <b>Poverty indicators</b> in Malta are below the EU average in general, but remain high for specific disadvantaged groups... this rate remained high among non-EU nationals (30.4 %), low-skilled adults (30.3 %), people aged over 65 (29.9 %), women (32.3 %), and people with disabilities (33.4 %).  | 14 |

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|    |    | Beyond the reforms and investments in the RRP, Malta would benefit from:... strengthening <b>targeted policies</b> to help women and people with disabilities to find work.   | 16 |
|    |    | The <b>disability employment gap</b> is also above the EU average (27 pps vs 23 pps) despite some improvements since 2020 (29.4 pps). In response to these challenges, the European Social Fund Plus (ESF+) will support active labour market and active inclusion measures, with a special focus on young people and persons with disabilities.  | 55 |
| NL | 5  | The COVID-19 pandemic exacerbated the inherent risks in an already highly <b>segmented labour market</b> . People with flexible contracts (in particular young people, lower-skilled adults, people with a migrant background and persons with disabilities) were among the groups hit the hardest.   | 58 |
|    |    | Although the share of people at <b>risk of poverty or social exclusion</b> in the Netherlands is stable and well below the EU average, there are still challenges for specific groups, such as people with a migrant background and persons with disabilities.  | 59 |
|    |    | 25.9 % of persons with disabilities were at <b>risk of poverty or social exclusion</b> in 2022 (0.6 pps below the 2021 value but still 1.4 pps more than in 2020).  | 59 |
| PL | 6  | Persons with disabilities, women and vulnerable groups continue to face obstacles to <b>labour market participation</b> . At 34.2 pps, the disability employment gap is one of the highest in the EU (EU average: 23 pps) and has been showing an increasing trend in recent years. The activity rate of persons with disabilities (around 50 %) is on the rise, but still well below the EU average of 61.6 %. | 58 |
|    |    | The social allowances system for caregivers of persons with disabilities prevents carers from working (while being insufficient to avert the risk of poverty).  | 59 |
| PT | 4  | Portugal continues to perform better than average in disability and gender <b>employment gaps</b> .   | 4  |
|    |    | Portugal is upgrading and expanding its infrastructure for <b>social care services</b> , benefitting groups such as children, the elderly and those with disabilities.  | 7  |
|    |    | Key deliverables in 2023-24: ...Digital information platform for people with disabilities.  | 10 |
| RO | 10 | The insufficient provision of non-residential community-based care services is also delaying the <b>deinstitutionalisation</b> of people with disabilities. EU-funded programmes for 2021-27 contain significant investment in this area, with almost EUR 680 million allocated to the delivery of integrated services for 2 000 disadvantaged rural communities.   | 13 |
|    |    | Other investments target improved <b>access to health and employment services</b> , with a focus on vulnerable groups, including people with disabilities and those from remote areas or marginalised communities.  | 13 |
|    |    | Participation in the labour market of women, young people, persons with disabilities, low-skilled people and Roma remains limited. ...the <b>disability employment gap</b> (32.6 pps) is significantly higher than the EU average (23.1 pps in 2021) and rising.  | 59 |

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|           |   | The share of people at <b>risk of poverty or social exclusion</b> (AROPE) continues to be among the highest in the EU too (34.4 % in 2021 vs 21.7 %). People living in rural areas, marginalised communities, and vulnerable groups, including persons with disabilities and Roma, are particularly affected.  | 60 |
|           |   | Poor <b>access to social and health services</b> , notably for disadvantaged groups, contribute to deepening disparities. Marginalised groups, such as those from remote rural areas, persons with disabilities and the Roma, are among the most affected.   | 60 |
|           |   | <b>Deinstitutionalisation</b> continues but progress is slow, especially for adults with disabilities, due to the limited availability of integrated services. Under the RRP, Romania undertook to accelerate the deinstitutionalisation process.  | 60 |
| <b>SE</b> | 4 | The European Social Fund Plus (ESF+) will aim specifically to activate those that are furthest away from the <b>labour market</b> (long-term unemployed people, young people, older people, newly arrived migrants, persons with disabilities and people on sick leave who need support to get back to work).  | 54 |
|           |   | Sweden managed to partially improve integrating persons with disabilities into the labour market and is continuing to expand the coverage of formal childcare services. The <b>disability employment gap</b> had been stable since 2015 (30.2 pps) but began a steep decline in 2019 (24.9 pps) and reached 19.9 pps in 2021 (below the EU average of 23.0 pps). This was entirely due to the improved conditions of people with only some activity limitations (from 19.0 pps in 2019 to 13.0 pps in 2021), while the situation deteriorated for people with severe activity limitations (from 38.7 pps in 2019 to 46.7 pps in 2021). | 55 |
| <b>SI</b> | 5 | In 2023 and 2024, work on <b>reforms</b> is expected to advance and the implementation of important investments will be accelerated. ...the Pension and Disability Insurance Act.  | 8  |
|           |   | ...Slovenia continues to face some long-term structural challenges in its labour market. One of these challenges is the low <b>employment and activity rates</b> of older workers, in particular those with lower skills levels, and persons with disabilities.  | 58 |
|           |   | Mental disorders [sic.] are the most common reason for <b>disability retirement</b> . Moreover, they are the third most common reason for work incapacity and sick leave (which are, on average, among the longest in the EU).   | 63 |
| <b>SK</b> | 3 | Slovakia developed a manual on how to remove physical, technological and informational <b>barriers in schools</b> and make them more accessible for pupils with disabilities. This know-how will be crucial when completing the ensuing investment in removing physical barriers in 252 secondary schools by the second quarter of 2025.   | 7  |
|           |   | The <b>housing</b> situation also hampers integrating the 80 000 displaced people from Ukraine staying in Slovakia. Women, children, older people and persons with disabilities make up most of the displaced people residing in Slovakia, and this presents a challenge for social inclusion and the education system.  | 60 |

## 1.12 The Country Specific Recommendations

Country Specific Recommendations (CSRs) were published for all Member States in 2022 and 2023, after a break from the usual pattern during the COVID-19 crisis.<sup>77</sup> These CSRs focused on priorities building on, and referred to, earlier recommendations of 2019 and 2020 (which remained relevant to implementation the new RRP). Disability was mentioned in five of the 2022 CSR fiches, but only in passing reference rather than as a focus for recommendation. This is unsurprising given the immediacy of the war in Ukraine in 2022 and the focus on budgetary and fiscal issues in such high-level conclusions, but it does indicate a distinct reduction of visibility for disability mainstreaming when compared to the CSRs issued prior to the COVID-19 pandemic (18 of the CSRs referred to disability in 2019). In 2023 a similar pattern was evident, with only five of the proposed CSRs mentioning disability in the text (but none mentioning it in the concluding recommendations).

The 2022 CSR for Belgium mentioned disability in relation to strengthening the social and labour market integration of ‘vulnerable’ groups, and secondary educational attainment. The CSRs for Estonia and Latvia mentioned the elevated disability risk of poverty or social exclusion. The CSRs for Hungary and Poland referred to persons with disabilities in terms of labour market disparity for ‘disadvantaged’ groups (employment rate/gap). As in previous years, there was also a reference to disability insurance coverage for self-employed people in The Netherlands CSR.

In 2023, the CSR to Latvia referred to the very high risk of poverty of social exclusion for persons with disabilities (as well as for older people in general, among whom persons with disabilities are over-represented). This is a relevant consideration as the combined AROPE risk for older persons with disabilities was over 50 % in 2021. In fact, it was even higher in Bulgaria (52.7 %) and the AROPE risk for all persons with disabilities age 16+ was highest in Romania (33.1 %) but disability was not mentioned in the CSRs for either of these countries. While it is positive that disability is recognised as an issue, by example, there is again evidence that the methodology of mainstreaming disability equality is not being applied very consistently or to the greatest effect in the Semester reviews.

The CSR to Estonia also referenced the AROPE indicator for persons with disabilities, although the estimates appeared to differ from Eurostat’s revised statistics (the CSR cited a country level risk of 40.4 % against an EU average of 28.9 % in 2021, whereas the Eurostat database showed 37.1 % and 29.7 %, respectively, down from 39.9 % in 2020). Such minor discrepancies are likely to result from a reliance on provisional data releases during the analysis phase, followed by updating on the Eurostat database during the policy cycle. There are now moves to bring forward the release of more finalised data in future years, which may aid analysis and consistency of reporting.

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<sup>77</sup> European Commission (2022) *2022 European Semester: Country Specific Recommendations / Commission Recommendations*, [https://ec.europa.eu/info/publications/2022-european-semester-country-specific-recommendations-commission-recommendations\\_en](https://ec.europa.eu/info/publications/2022-european-semester-country-specific-recommendations-commission-recommendations_en).

The 2023 CSR to Hungary made four references to disability. It observed the deterioration of poverty indicators for persons with disabilities as a counter trend to overall poverty indicators, along with other ‘disadvantaged groups’ (paragraph 34). It highlighted the relatively low employment rates and wide employment gaps for such groups, and pointed to their ‘difficulties in entering the open labour market due to the weaknesses in education, training, social assistance systems and support structures for jobseekers’ (paragraph 35). It also made the link with gendered caring responsibilities as a factor in women’s employment.

The CSR to Belgium also emphasised the issue of labour market activation as a policy challenge.

‘... more effective and targeted activation measures could help unlock the large untapped labour potential and alleviate the growing labour and skills shortages. Disadvantaged groups, including people with low education attainment, a migrant background or with disabilities, are less integrated in the labour market.’ (p. 11)

This is a good example in drawing attention to low rates of labour market participation in Belgium, which was among four countries reporting activity levels at or below 50 % for persons with disabilities in 2021 according to EU-SILC estimates. Nevertheless, the policy challenge of activation was not mentioned in the CSRs to Romania, Poland or Ireland, which reported even lower levels on the same indicator. In fact, the relative chances (odds ratio) of the disability group being active in the labour market was 0.6 in Belgium and just 0.5 in Ireland, but the CSR to Ireland did not mention disability issues at all.

The CSR to France referred to disability in relation to achievement barriers and investments in the school education system. It noted that ‘Challenges also remain, despite investments and progress, with regard to the access of pupils and students with disabilities to the mainstream education system’ (paragraph 31).

As these examples show, examples of disability equality mainstreaming continue to appear in the CSRs arising from the Semester process, even in the streamlined form adopted since the COVID-19 crisis. This is encouraging and shows that the Commission have remained conscious of the significance of disability as a factor relevant to the Semester in some cases. At the same time, disability continues to be rarely mentioned and less so than it was prior to the pandemic. This is perhaps unsurprising given the precedence now given to economic and social issues arising from the invasion of Ukraine.

It is also relevant to observe, nevertheless, how the principle of disability equality mainstreaming is still not applied consistently in an evidence-based way. This is notable, for example, where disability policy challenges have not been identified as priorities among the weakest performers on disability equality measures, even where these are raised as challenges in the Scorecard and Commission Country Reports - including on the headline indicator of the disability employment gap, which was mentioned in only one CSR in 2023.

There was considerable duplication, or common concern, among the 2022 CSRs to implement strategic investment decisions and to address the challenges resulting from the COVID-19 pandemic and the war in Ukraine. These included recommendations to finalise the measures already proposed in the 2021 RRPs (several of which are relevant for a disability analysis, as shown in Section 2.2). There were recommendations to target specific support to households vulnerable to energy price rises (which includes a disproportionate number of disabled households, as evidenced by the disability indicator for risk of poverty or social exclusion, and specifically within the components of the severe material deprivation component). Support to people fleeing Ukraine was also targeted (which includes support for older and disabled refugees, who face eligibility barriers to accessing disability supports and entitlements in some Member States). Several Member States were recommended to address the sustainability of their long-term care systems (which directly affects the right to independent living, including a significant proportion of older persons with disabilities). Other recommendations focused on support for labour market participation and skills gaps of disadvantaged groups (among which persons with disabilities are perhaps the most significant sub-group, as evidenced by the disability employment gap indicator).

In the 2023 CSRs, several of these themes persist. The priorities are directed to financial deficit reduction and prudent fiscal policy, with an emphasis on energy security and the implementation of RRP investment measures in general (rather than specific measures). These general references to RRP implementation require significant cross-referencing and interpretation to draw out the significance of disability equality in monitoring their achievement. They require knowledge of the disability measures in the RRPs and data concerning their outcomes. Since disability is now less often mentioned explicitly in the CSRs it becomes more challenging to ensure relevant measures are addressed.

Where there were additional recommendations on employment and social policies these tend to be also generic – addressing ‘labour shortages’ or ‘skills mismatches’, for example. There were references to ‘disadvantaged groups’ in this context, which should be interpreted, in context of the known indicators, to refer extensively to persons with disabilities by implication. Similarly, the Country-Specific Recommendations refer to improving social protection, education and training systems, health and care systems, access to housing, and so on. All of these social issues are highly relevant to the situation of persons with disabilities and provide the possibility of some leverage on disability issues in the next Semester cycle.

In fact, there were Country-Specific Recommendations addressing general employment and social policies for less than half of EU Member States in 2023. These are shown in Table 2, along with an indication of their relevance to disability equality.

**Table 4: Disability relevance in the 2023 social policy CSRs**

| MS        | CSR addressing social policy issues  | Disability relevance   |
|-----------|--|--|
| <b>AT</b> | Boost labour market participation of women, including by enhancing quality childcare services, and of older workers, and improve labour market outcomes for disadvantaged groups, such as low-skilled jobseekers and people with a migrant background, including by raising their levels of basic skills.                                    | <p>Labour market is particularly low among women with disabilities, and access to services for children with disabilities is particularly challenging.</p> <p>Evidence from Eurostat shows that persons with disabilities are over-represented among older workers and ‘disadvantaged groups’, including those with ‘low skills’.</p>          |
| <b>BE</b> | Address labour shortages and skills mismatches, in particular by strengthening activation policies to integrate disadvantaged groups into the labour market. Improve the performance and equity of the education and training systems and continue reforms to strengthen the teaching profession.  | <p>The Scorecard evidences a wide disability employment gap.</p> <p>Activation policies need to be targeted towards persons with disabilities.</p> <p>There is a lack of equity in education and training for persons with disabilities.</p> <p>Specific attention may be needed to strengthening teaching for learners with disabilities.</p> |
| <b>CZ</b> | Strengthen the provision of social and affordable housing, including by adopting a specific legislative framework, improving coordination between different public bodies, and incentivising the construction of new housing units as well as the refurbishment of existing ones.  | <p>Ensuring the accessibility of housing stock is an important consideration.</p> <p>Housing services need to be co-ordinated with disability services to support independent living.</p> <p>Refurbishment investments should not sustain institutional living arrangements.</p>   |
| <b>EE</b> | Strengthen social protection, including to address old-age poverty, and by extending the coverage of unemployment benefits, in particular for those with short work spells and in non-standard forms of work. Improve access to and the affordability of healthcare and long-term care, in particular by ensuring their sustainable funding. | <p>Eurostat data evidence the high risk of poverty or social exclusion among persons with disabilities.</p> <p>The prevalence of disability rises rapidly in old age and is also high among the unemployed.</p>  |

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|-----------|--|---|
|           |  | Access to health and long-term care is critical issue for persons with disabilities.  |
| <b>EL</b> | To ensure adequate and equal access to healthcare, complete the roll-out of the primary healthcare framework and adopt stronger incentives for the enrolment of an adequate number of family doctors in order to achieve full population coverage and population registration. Finalise cadastre reform by completing cadastral mapping and the establishment and operation of the Hellenic Cadastre Agency.   | Persons with disabilities have greater unmet needs for medical care.  |
| <b>FI</b> | Address labour and skills shortages by reskilling and upskilling the workforce and widening the higher education offer, in particular for the study fields most in demand in the labour market.  | The disability employment gap evidences untapped potential among persons with disabilities marginal to the labour market.<br><br>Disability education and skills gaps remain significant.                         |
| <b>FR</b> | Address the shortage of skills, in particular by providing additional work-based learning options and raising the share of people with basic skills. Adapt resources and methods to the needs of disadvantaged students and schools in order to make the education and training system more equitable and inclusive. Improve the working conditions and initial and continuous training for teachers   | Persons with disabilities are over-represented among those disadvantaged in education or lacking access basic skills.   |
| <b>HU</b> | Improve the adequacy of the social assistance system, including unemployment benefits. Improve access to effective active labour market measures, in particular upskilling opportunities for the most disadvantaged groups, and ensure effective social dialogue. Improve the regulatory framework and competition in services by avoiding selective and arbitrary administrative interventions and the use of tailor-made legislation providing undue advantage or disadvantage to specific companies, by applying competition scrutiny systematically to business transactions and by reducing the use of emergency measures to what is strictly necessary, in line with the principles of the single market and of the rule of law. | Eurostat data evidence the high risk of poverty or social exclusion among persons with disabilities.<br><br>Active labour market measures need to target unemployment and skills among persons with disabilities. |
| <b>LT</b> | Strengthen primary care and expand preventive care, including to make the healthcare system  | Persons with disabilities report higher levels of unmet need for medical care.  |

|           |  |   |
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|           | more resilient. Improve the planning and delivery of social services. Improve access to and quality of social housing.   | <p>Social services are of particular significance to persons with disabilities, who are the main users.</p> <p>Social housing is an important factor in supporting independent living.</p>  |
| <b>LU</b> | Improve the performance of the school education system and promote equal opportunities for all students, notably by adapting teaching to the needs of disadvantaged students and those from various linguistic backgrounds.  | Persons with disabilities are at higher risk of early school leaving and low educational attainment.  |
| <b>NL</b> | Reduce incentives to use flexible or temporary contracts. Taking into account sector specific needs, address structural labour and skills shortages, including by tapping into underutilised labour potential and strengthening up and reskilling opportunities, in particular for those at the margins of the labour market and the inactive.   | <p>Persons with disabilities are over-represented among those marginal to the labour market and represent a significant underutilised population.</p> <p>They are also over-represented among those excluded from education and skills.</p> |
| <b>SE</b> | Improve educational outcomes for pupils with disadvantaged socio-economic and migrant backgrounds by ensuring equal access opportunities in the schooling system and addressing the shortages of qualified teachers. Develop the skills of disadvantaged groups, particularly people with migrant backgrounds, by adapting resources and methods to their needs, with a view to helping them integrate into the labour market. | <p>Pupils with disabilities experience unequal access to educational opportunities.</p> <p>Teacher shortages include those with skills teaching pupils with disabilities.</p>   |

There were no Country-Specific Recommendations oriented towards employment and social policies for Bulgaria, Cyprus, Croatia, Denmark, Germany, Ireland, Italy, Latvia, Malta, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, or Sweden. The inclusion or omission of such recommendations per country is not directly correlated with the indicators or Commission analysis published on employment and social indicators (e.g. some of the weakest performers on the Scorecard do not have recommendations on social policies, while some of the strongest performers do).

Overall in 2023, there were no specific references to disability issues in the concluding recommendations, and no generic recommendations at all on social issues in most of the Member States. Consequently, it has become more challenging to use the CSRs as leverage when mainstreaming disability equality in monitoring the Semester over the period under review. This is not surprising in the slimmed down Semester, where the emphasis is on macro-level challenges.

For comparison, the following table summarises the 2022 CSRs, from the previous Semester cycle, where social issues retained a higher level of visibility (although disability was not mentioned more often).

**Table 5: Relevant issues in the 2022 CSRs**

| MS | Country Specific Recommendation  |
|----|--|
| AT | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• adequacy and fiscal sustainability of the long-term care system;</li> <li>• implementation of recovery and resilience plan and previous CSRs;</li> <li>• Boost labour market participation of women, including by enhancing quality childcare services; and</li> <li>• improve labour market outcomes for disadvantaged groups.</li> </ul>   |
| BE | <p><b>The <a href="#">CSR</a> mentions disability in reference to strengthening the social and labour market integration of vulnerable groups, and secondary educational attainment</b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• improve fiscal sustainability of long-term care;</li> <li>• cost efficient use of the different care settings;</li> <li>• reform the taxation and benefit systems to reduce disincentives to work;</li> <li>• implementation of recovery and resilience plan and previous CSRs (including pension reform);</li> <li>• address labour shortages and skills mismatches;</li> <li>• performance and inclusiveness of the education and training system;</li> <li>• quality and labour market relevance of vocational education and training; and</li> <li>• flexible and attractive career paths and training for teachers.</li> </ul> |
| BG | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs; and</li> <li>• this includes actions on labour market relevance of education and lifelong learning systems and widening healthcare services.</li> </ul> <p>There were no new recommendations addressing labour market or social policy issues.</p>   |
| CY | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs;</li> <li>• this includes actions on earlier recommendations concerning upskilling and reskilling programmes, childcare facilities, digital skills and technologies in schools, e-health portal, and long-term care; and</li> </ul>   |

| MS | Country Specific Recommendation  |
|----|--|
|    | <ul style="list-style-type: none"> <li>• social and affordable housing (legislative framework and improved coordination between different public bodies).</li> </ul> <p>There were no new recommendations addressing labour market or social policy issues.</p>  |
| CZ | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs; and</li> <li>• this includes actions on earlier recommendations concerning health care, labour market and social policy, education and skills.</li> </ul> <p>There are no new recommendations addressing labour market policies.</p>   |
| DE | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs;</li> <li>• labour shortages;</li> <li>• sustainable transport; and</li> <li>• digitalisation of the public administration and health services.</li> </ul> <p>There were no new recommendations addressing labour market or social policy issues.</p>   |
| DK | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs; and</li> <li>• investment in construction of affordable housing.</li> </ul> <p>There are no new recommendations addressing labour market policies.</p>   |
| EE | <p><b>Disability is mentioned in the <a href="#">CSR</a> in relation to the high risk of poverty and social exclusion</b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs;</li> <li>• this includes actions on earlier recommendations concerning health care, labour market and social policy, education and skills;</li> <li>• extend coverage of unemployment benefits;</li> <li>• affordability and quality of long-term care; and</li> <li>• integrating health and social services.</li> </ul> |
| EL | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> </ul>  |

| MS | Country Specific Recommendation   |
|----|---|
|    | <ul style="list-style-type: none"> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs;</li> <li>• accessibility and resilience of the health system;</li> <li>• active labour market policies;</li> <li>• policies supporting public investment in education, skills and employability; and</li> <li>• rollout of the primary health-care reform (staffing, registration and gatekeeping).</li> </ul> <p>There are no new recommendations addressing labour market policies.</p>  |
| ES | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs;</li> <li>• this includes reinforcing active labour market policies, addressing the fragmentation of unemployment assistance, developing digital learning, improve the coverage and adequacy of minimum income schemes and family support; and</li> <li>• increase the availability of energy-efficient social and affordable housing, including through renovation.</li> </ul> <p>There were no new recommendations addressing labour market policies.</p>                  |
| FI | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs;</li> <li>• social security reform (efficiency of the system of social benefits);</li> <li>• incentives to work; and</li> <li>• healthcare reforms.</li> </ul>   |
| FR | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs;</li> <li>• this includes actions the labour market, health and long-term care, sustainable transport, youth employment and education;</li> <li>• reform the pension system (unify the rules of the different pension regimes); and</li> <li>• raising the level of basic skills (work-based learning options adapting resources and methods to the needs of disadvantaged students).</li> </ul> <p>There were no new recommendations addressing labour market policies.</p> |
| HR | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> </ul>   |

| MS | Country Specific Recommendation   |
|----|---|
|    | <ul style="list-style-type: none"> <li>• implementation of recovery and resilience plan and previous CSRs; and</li> <li>• labour market integration of the most vulnerable groups.</li> </ul> <p>There are no new recommendations addressing labour market or social policy issues.</p>   |
| HU | <p><b>Disability is mentioned in the <a href="#">CSR</a> with reference to increasing the employment rate of disadvantaged groups</b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs;</li> <li>• labour market integration of the most vulnerable groups;</li> <li>• extend the duration of unemployment benefits;</li> <li>• adequacy of social assistance;</li> <li>• access to essential services and adequate housing for all;</li> <li>• improve education outcomes and increase the participation of disadvantaged groups; and</li> <li>• access to quality preventive and primary care services.</li> </ul> <p>There were no new recommendations addressing labour market policies.</p> |
| IE | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs;</li> <li>• this includes active labour market integration support and upskilling, reforms of social and affordable housing, pensions and healthcare; and</li> <li>• sustainability of the state pension system.</li> </ul> <p>There are no new recommendations addressing labour market or social policy issues.</p>  |
| IT | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs; and</li> <li>• this includes reforms and investments to improve employment prospects (e.g. for young people and women) and raise labour supply.</li> </ul> <p>There were no new recommendations addressing labour market or social policy issues (beyond tax reforms).</p>  |
| LT | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs;</li> <li>• this includes quality and efficiency of health services, enhancing social protection, prioritise education, and increasing the effectiveness of the public sector;</li> </ul>  |

| MS | Country Specific Recommendation   |
|----|---|
|    | <ul style="list-style-type: none"> <li>• weaknesses in the planning and delivery of social services;</li> <li>• shortages and uneven distribution of health professionals limit access to primary healthcare;</li> <li>• services insufficiently address the needs of unemployed people;</li> <li>• reform of the minimum income scheme; and</li> <li>• improve access to and quality of social housing.</li> </ul> <p>There are no new recommendations addressing labour market policies.</p>  |
| LU | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs;</li> <li>• this includes measures to increase the public supply of affordable housing, digital public services, skills strategy and training programmes (target for older workers);</li> <li>• long-term sustainability of the pension system;</li> <li>• limit early retirement and increase the employment rate of older workers;</li> <li>• reduce the impact of inequalities on pupils' performance and promote equal;</li> <li>• opportunities for all students in the educational system;</li> <li>• health system resilience;</li> <li>• labour market inclusion; and</li> <li>• shortage of affordable housing.</li> </ul>  |
| LV | <p><b>Disability is mentioned in the <a href="#">CSR</a> in relation to benefit levels and poverty risk.</b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs;</li> <li>• this includes indexation for minimum income benefits, Riga transport system, building schools and affordable housing, modernising hospitals;</li> <li>• access to and quality of social assistance and services for vulnerable groups;</li> <li>• long-term care system (limited supply of home care and community-based services);</li> <li>• social housing is scarce and often does not provide adequate living conditions; and</li> <li>• social assistance varies across municipalities.</li> </ul> <p>There were no new recommendations addressing labour market or social policy issues (beyond tax reforms).</p> |
| MT | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs; and</li> <li>• this includes reforms and investments to address the challenges identified in health, employment, education and skills.</li> </ul> <p>There are no new recommendations addressing labour market or social policy issues.</p>   |

| MS | Country Specific Recommendation   |
|----|---|
| NL | <p><b>Disability is mentioned in the <a href="#">CSR</a> in relation to social protection for self-employed people.</b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan (not yet submitted) and previous CSRs;</li> <li>• address labour and skills shortages;</li> <li>• tapping underutilised labour potential; and</li> <li>• strengthen up- and reskilling opportunities, notably for those at the margins of the labour market and the inactive.</li> </ul> <p>There were no new recommendations addressing social policy issues.</p>  |
| PL | <p><b>Disability is mentioned in the <a href="#">CSR</a> in relation to labour market disparities (low employment rate).</b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs;</li> <li>• quality and inclusiveness of education;</li> <li>• labour market participation of some groups continues to be constrained;</li> <li>• primary care system is understaffed and overstretched;</li> <li>• some elderly people exposed to an increasing risk of poverty;</li> <li>• increase the effective retirement age;</li> <li>• accelerate e-health services;</li> <li>• foster quality education and skills relevant to the labour market, especially through adult learning and improving digital skills; and</li> <li>• better target social benefits and ensure access to those in need.</li> </ul> |
| PT | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs; and</li> <li>• this includes improving access to quality health and long-term care, vocational education and skills, improving social services, increasing the supply of social and affordable housing.</li> </ul> <p>There were no new recommendations addressing labour market or social policy issues.</p>   |
| RO | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs; and</li> <li>• this includes the sustainability and fairness of the public pension system, access to healthcare, and public procurement.</li> </ul> <p>There were no new recommendations addressing labour market or social policy issues.</p>  |

| <b>MS</b> | <b>Country Specific Recommendation</b>   |
|-----------|--|
| <b>SE</b> | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs;</li> <li>• this includes making the health care system more resilient, and raising the education and skills level;</li> <li>• improve the efficiency of the housing market;</li> <li>• make the health care system more resilient;</li> <li>• better integration of disadvantaged groups in the labour market;</li> <li>• providing equal access opportunities to schools; and</li> <li>• develop skills of disadvantaged groups to help their integration into the labour market.</li> </ul> <p>There were no new recommendations addressing labour market or social policy issues.</p> |
| <b>SI</b> | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs;</li> <li>• this includes social safety nets and employment;</li> <li>• reforms of the healthcare and long-term care systems (for quality and inclusion); and</li> <li>• long-term fiscal sustainability of the healthcare and long-term care systems.</li> </ul> <p>There were no new recommendations addressing labour market policies.</p>   |
| <b>SK</b> | <p><b>No direct reference to disability in the <a href="#">CSR</a></b></p> <p>Key recommendations of relevance might include:</p> <ul style="list-style-type: none"> <li>• targeted support to households most vulnerable to energy price hikes;</li> <li>• support to people fleeing Ukraine;</li> <li>• investment for the green and digital transition;</li> <li>• implementation of recovery and resilience plan and previous CSRs; and</li> <li>• this includes a focus on inclusive education.</li> </ul> <p>There were no new recommendations addressing labour market or social policy issues.</p>   |

## 2 Update on investment priorities and Recovery and Resilience Plans

The Recovery and Resilience Facility (RRF) was introduced in response to the COVID-19 pandemic and the Semester process was simplified initially to focus on its implementation (see Section 1.5). The Semester cycles in the period of this review (2021-2023) have been thus marked by the introduction and subsequent integration of national Recovery and Resilience Plans (RRPs). While the 2023 Semester cycle returned to a ‘new normal’ it retains this strong emphasis on the implementation of strategic investments to meet strategic goals. This provides both opportunities and risks for mainstreaming disability equality, as outlined earlier.

A great deal of work was done in the past decade to mainstream disability equality in the allocation of EU Structural Funds.<sup>78</sup> To support its implementation of the Disability Strategy and of the UNCRPD the EU continues to promote the use of EU funding by the Member States as provided for in the Multiannual financial framework 2021-2027 and by new funding opportunities under the recovery plan NextGenerationEU.

The Common Provisions Regulation<sup>79</sup> for shared management funds notably requires that national frameworks to implement the UNCRPD are in place, along with arrangements to ensure accessibility in EU funded projects. In this context, the Commission called on Member States in 2021 to:

- ensure partnership with regional, local authorities, representative organisations of persons with disabilities, civil society, fundamental rights bodies and other stakeholders in the design and implementation of EU funds; and
- encourage the UN CRPD focal points to support the fulfilment of the relevant enabling conditions throughout the programming period.

As mentioned earlier, the Recovery and Resilience Facility (RRF) has important consequences for investment with lasting impacts. This presents opportunities but also risks if the investment priorities do not take account of a disability perspective. For example:

- When CSRs called for improving ‘the accessibility and resilience of the health system’ in 2020, including shortages, it was important to acknowledge the gaps in unmet needs reported by persons with disabilities so that these could be addressed in health system investments, by targeting disability access and accessibility.

<sup>78</sup> Quinn, G., & Doyle, S. (2012). Taking the UN convention on the rights of persons with disabilities seriously—the past and future of the EU structural funds as a tool to achieve community living. *The Equal Rights Review*, 9, 69-94; McEvoy, E. (2020). EU structural and investment funds and disability. In *Research Handbook on EU Disability Law*. Edward Elgar Publishing.

<sup>79</sup> Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy, OJ L 231, 30.6.2021, pp. 159-706.

- The 2022 CSRs included a focus on investments in digital transition and sustainable transport (without reference to disability). Structural investment in these areas must prioritise accessibility to persons with disabilities in accordance with EU funds and public procurement requirements, as well as compliance with CRPD Article 9.
- In 2023 the CSRs placed a strong emphasis on containing energy price rises, and energy security, implementation of investment plans, and reiterating priorities for green and digital transitions.

The focus shifted from framing investment priorities for the Member States' plans in 2021 to ensuring their implementation in 2022 and 2023. The 2022 CSRs included a strong focus on concluding these agreements and realising the commitments made in the previous cycle. Monitoring this implementation of these projects from a disability perspective is important in ensuring accessibility and inclusion. In 2023, there was less general emphasis on social policies than in the preceding cycle.

## 2.1 Developing equal opportunities guidance

As noted earlier, in 2021, under agreement on the Recovery and Resilience Facility regulation (RFF), Member States were invited to prepare their 'national reform programmes and recovery and resilience plans in a single integrated document'.<sup>80</sup> In this sense, the 2022 and 2023 NRPs performed a dual function, as a basis for the Semester policy co-ordination process and as a reporting requirement for the RRF. The Commission's guidance drew Member States' attention to matters of equality and fairness within these Plans.<sup>81</sup> Each Plan should explain how 'Gender equality and equal opportunities for all' are addressed by the measures proposed and include recognition of the challenges arising from the COVID-19 crisis. Disability was one of the equal opportunities grounds to be considered in these Plans (under principle 3 of the Social Pillar). The EDE disability country fiches examined these Plans in 2021 and 2022.

Disability mainstreaming was an expectation in the guidance provided in 2021. Member States were requested to 'explain how the reforms and investments supported by the plan will be instrumental in overcoming the equality challenges identified' – by responding to the following questions (see Guidance Part 1, p. 11):

'How does the plan promote equal opportunities regardless of gender, racial or ethnic origin, religion or belief, disability, age, and sexual orientation? When doing so, Member States are for example invited to explain how the plan ensures the mainstreaming of those objectives across relevant policies.

How does the plan ensure respect for the rights of people with disabilities in conformity with the UN Convention on the Rights of Persons with Disabilities and

<sup>80</sup> European Commission (2021) *Questions and answers: The Recovery and Resilience Facility*, [https://ec.europa.eu/commission/presscorner/detail/en/qanda\\_21\\_481](https://ec.europa.eu/commission/presscorner/detail/en/qanda_21_481).

<sup>81</sup> *Commission staff working document – Guidance to Member States Recovery and Resilience Plans* (Part 1 and Part 2), [https://ec.europa.eu/info/files/guidance-member-states-recovery-and-resilience-plans\\_en](https://ec.europa.eu/info/files/guidance-member-states-recovery-and-resilience-plans_en).

the rights of other disadvantaged and marginalised populations? In this regard, Member States are for example invited to explain how the plan ensures disability (and otherwise) inclusive reforms of education, labour market and health sectors, accessibility of buildings, services and websites as well as transition from institutional to community-based services.’

In addition, the guidance invited Member States ‘to disaggregate the data they present by gender, age, disability and racial or ethnic origin wherever possible’. The EDE country fiches, and summary statistical tables, illustrate this kind of disaggregation from a disability perspective from available EU and national sources.

The addition of explicit guidance on disability mainstreaming in the 2021 Semester was a significant step forward and it would be relevant for the Commission to consider Member States’ compliance with it. The adoption of similar advice for the preparation of National Reform Programmes in future Semester cycles would be most welcome.

Attention has been paid also to disability equality during the implementation phase. For example, among the thematic analyses accompanying the Recovery and Resilience Scoreboard, a thematic analysis on Equality was published at the beginning of 2023.<sup>82</sup> This review made nearly 50 references to disability issues, acknowledging the significant impact of COVID-19 and the crisis on persons with disabilities, including the disproportionately gendered vulnerability of women with disabilities (e.g. to the risks of poverty or social exclusion). It underlined EU commitment to equality concerns, the assessment of these issues in the Semester process, and the links to related EU equality strategies such as the e Strategy on the rights of persons with disabilities 2021-2030 and to the UNCRPD. It pointed to relevant CSRs received by the Member States, highlighting equality concerns with labour market participation, long-term care services, adequate income support for persons with disabilities, inclusion in education, and so on.

The thematic analysis addressed disability specifically in relation to the RRF, arguing its relevance to improving economic and social integration through investment. It cited several examples of measures taken, or commitments made, by Member States in their RRP (pp. 7-8), as follows:

- provision of assistive devices, ICTs or ICT training (e.g. Bulgaria, Greece, Italy, Lithuania);
- access to digital public services and use of disability cards (e.g. Croatia);
- addressing energy poverty (e.g. Cyprus);
- improving accessibility of social infrastructure, housing, schools and public buildings (e.g. Greece, Portugal, Romania, Slovakia, Latvia, Bulgaria, Italy);
- educational programmes and awareness raising (e.g. Greece);
- employment hiring incentives (e.g. France, Greece, Romania);

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<sup>82</sup> European Commission, *Recovery and Resilience Scoreboard: Thematic analysis: Equality*, 2023, [https://ec.europa.eu/economy\\_finance/recovery-and-resilience-scoreboard/assets/thematic\\_analysis/scoreboard\\_thematic\\_analysis\\_equality.pdf](https://ec.europa.eu/economy_finance/recovery-and-resilience-scoreboard/assets/thematic_analysis/scoreboard_thematic_analysis_equality.pdf).

- targeted support for labour market integration (e.g. Latvia, Greece, Finland, Slovenia);
- revising legal frameworks (e.g. Italy);
- developing national disability strategies (e.g. Portugal, Romania); and
- community-based supported living and independent living assistance (e.g. Bulgaria, Cyprus, Greece, Latvia, Portugal, Slovakia, Romania).

The Commission's thematic analysis of was generally successful in terms of good practice in equality mainstreaming, by providing at least an equivalent profile for disability equality alongside other dimensions (albeit with a higher visibility given to women and gender equality overall). Disability related investments were identified in the RRFs and highlighted for most, but not all, Member States. For example, the following detailed case study was highlighted for Slovakia:

'Slovakia is also notably addressing obstacles for the inclusion of people with disabilities in education, by removing physical, information and technological barriers in more than 250 large secondary schools. Another investment aims at removing physical and other barriers in universities, and generally increasing accessibility to (public) buildings through renovation and construction projects in the plan. A reform in the area of social and long-term care aims to make care facilities for older people and people with disabilities more effective. The needs of socially disadvantaged groups and people with disabilities are also taken into account by measures addressing energy poverty.' (p. 9)

The following table lists the extracts from the analysis referring directly to disability investments in the Member States' RRFs. There was no explicit reference to disability related investments in the equality vignettes (Country overviews) for Austria, Belgium, Denmark, Germany, Ireland, Luxembourg, Malta, Netherlands, Spain or Sweden. However, some of these referred to generic equality concerns or wider 'vulnerable groups' that might be assumed to include persons with disabilities. In addition, reforms targeted at other equality dimensions, such as gender equality, may also directly benefit many persons with disabilities (e.g. flexible working reforms, investments in access to childcare, increased availability of social housing, income support for older persons, etc). Persons with disabilities are over-represented among populations at risk of poverty or social exclusion, so investments aimed at reducing social inequalities in general may also have a leveraged effect on disability equality.

**Table 6: Extracts from the RRF thematic analysis on equality, by country (quotes)**

| Country   | Disability related investment plan  |
|-----------|---|
| <b>BG</b> | The plan aims to improve the social support system and ability to enter the labour market e.g. by reforming the minimum income scheme and modernising long-term care for older people and people with disabilities, increasing their mobility and opportunities for independent living. (p. 10)   |
| <b>CY</b> | Furthermore, the plan supports the enhancement of community-based living structures for persons with disabilities to avoid institutionalisation and social exclusion. It further promotes energy efficiency measures to tackle energy poverty in households with people with disabilities. (p. 11)  |
| <b>CZ</b> | Measures related to the new construction code, the renovation of buildings and their improved accessibility, digitalisation, eHealth and social care take account of the situation and needs of people with disabilities. (p. 11)   |
| <b>EE</b> | A reform of the long-term care framework is expected to serve as a basis for investments and development of services by local authorities to provide for independent living for older people with lower care needs and people with disabilities to support independent living. (p. 11)  |
| <b>EL</b> | The plan also includes a reform aiming to enhance social inclusion, independent living, employability and early childhood intervention for persons with disabilities, as well as several measures to facilitate their access to social benefits. (p. 12)  |
| <b>FI</b> | Furthermore, an investment aims to increase the participation of people with partial work ability, including persons with disabilities, in the labour market. (p. 11)   |
| <b>FR</b> | The plan also includes an investment to support employers who hire a person with a disability through a subsidy. Another investment consists of a “Guided employment” support scheme to provide individualised guidance to persons with disabilities. (p. 12)   |
| <b>HR</b> | The plan also includes investments to improve the system of exercising the rights of persons with disabilities in the field of mobility, as to finance infrastructure for autonomous new electric vehicles adapted as far as possible to the needs of passengers with disabilities. Furthermore, a new social mentoring service will be made available to a number of socially vulnerable groups, such as persons with disabilities, victims of violence, homeless persons, migrants and Roma, as part of an investment under the plan. (p. 11) |
| <b>IT</b> | The reforms of disability and for non-self-sufficient elderly persons set new frameworks promoting de-institutionalisation, autonomy and coordinated access to services. Various accompanying investments aim to support homecare, accessibility of homes and public spaces, access to training and ICT tools. (p. 12)  |
| <b>LT</b> | These include measures that directly and indirectly aim to address the needs of persons with disabilities such as facilitating accessibility to buildings and independent use of online public services. The plan also envisages a measure to enhance adequacy and sustainability of social benefits including an introduction of additional benefits to single people with disabilities and older people. (p. 12)  |

|           |   |
|-----------|---|
| <b>LV</b> | For instance, to address the specific needs of persons with disabilities, it includes a measure promoting access to public services and employment. In addition, new public transport vehicles are set to be equipped with easy access for persons with reduced mobility. Furthermore, the envisaged strategic framework for further development of the minimum income support system contains a plan for the promotion of equal opportunities for persons with disabilities. (p. 13) |
| <b>PL</b> | In the field of transport, a reform requires an upgrade of rolling stock with requirements for passengers with disabilities. (p. 13)  |
| <b>PT</b> | The Portuguese plan encompasses a reform entailing a new National Strategy for the Inclusion of Persons with Disabilities, with actions on the regulatory framework, certification and access to public spaces and services. Accompanying investments are expected to deliver 1000 dwellings with improved accessibility by 2025, and to develop digital information tools, such as geo-referencing tools for accessible spaces. (p. 14)  |
| <b>RO</b> | The plan also incentivises participation of vulnerable people in the labour market (including persons with disabilities, ... Other investments aim to improve access to basic health care for people in rural disadvantaged and marginalised areas, as well as to address the needs of people with disabilities, e.g. by improving accessibility of transport, buildings and digital public services. (p. 14)   |
| <b>SI</b> | The plan also includes an investment dedicated to flexible working methods adapted to the needs of persons with disabilities in sheltered companies and employment centres. (p. 14)   |

## 2.2 Implementation of the Recovery and Resilience Plans (RRPs)

As shown earlier in the review of the Semester documentation, a high-level emphasis has been placed on implementing measures identified in the Recovery and Resilience Plans (RRPs) of the Member States. This was evident in all the 2023 CSRs but with few specific reference to policy measures or target groups. To interpret the significance of the CSRs from a disability perspective it is therefore necessary to look deeper into the RRP for each country.

The RRP were prepared on national websites in 2021, mainly in national languages and in varying formats, with summary highlights published on the Commission website. These plans were reviewed by EDE country experts in 2021 and 2022. Updated information then mainly concerns the development of projects drawing down funds from the EU Facility. Summaries were published in a standard format on the Commission pages in 2022 and focused on high level priorities. The situation of persons with disabilities was rarely mentioned in these headline summaries, along with other groups marginalised groups, but many of the key initiatives were relevant from a disability perspective.

At the time of the initial review (May 2022), no RRP had been submitted by The Netherlands and no summary outline of key investment initiatives was published for Bulgaria, Hungary, Poland, Romania or Sweden.<sup>83</sup> By 2023, summaries for all countries had been published, except for Hungary. Disability was referred to in eight of these country summaries. The summary of the Belgian RRP mentioned disability in reference to the participation of ‘vulnerable groups’. The Croatian summary mentioned disability with reference to sustainable mobility (investment in autonomous taxis). The Portuguese summary mentioned disability with reference to ‘extending the coverage of social services, including long-term care and actions for people with disabilities’. The Italian RRP summary included ‘improving the quality of life of persons with disabilities’ as an objective. The Bulgarian summary included ‘modernising long-term care with a focus on people with disabilities and older people’.

It is worth noting that other marginalised target groups were also rarely named in the headline summaries of the RRP (women, young people, older people, migrants, and so on). It is useful therefore to look in more depth at the most relevant investment projects in each Member State, from a disability perspective. These reviews were conducted in preparation of the disability fiches by EDE’s national experts in 2022. The following overview provided a basis for these reviews (and is further elaborated in the subsequent table).

In accordance with the goals of the investment Facility, the RRP key measures for each country are grouped under three themes - Green transition, Digital transition, and Economic and social resilience. Each of these include investments of potential interest from a disability perspective, although the most relevant to the Semester agenda are those in the latter category (e.g. concerning support for employment, social policies and healthcare, or education and skills).

Within the theme of Green transition, several Member States committed new investments in sustainable transport, home heating schemes, and the renovation of public buildings. Each of these has a particular relevance to persons with disabilities. Older and persons with disabilities are more likely to spend time at home and many face additional costs of living, associated with lack of mobility, including a high reliance on home heating. In the current cost of living crisis they are likely to be hit harder by fuel poverty and likely to benefit more from reduced home heating costs than the average. Their needs should therefore be acknowledged and targeted in any such scheme. Similarly, persons with disabilities are more likely to be reliant on public transport systems and any major infrastructure or vehicle replacement initiative, ostensibly for reasons of de-carbonisation, is also an opportunity to prioritise accessibility in design. The same is true for refurbishment projects targeting public buildings.

Some of the showcase projects already highlighted by the Member States and the Commission signal this possibility. For example, ‘Overhaul of the Riga metropolitan area transport infrastructure’ (Latvia), extensions of the travel networks in Lisbon and Porto (Portugal), a ‘common transport system for the Tallinn capital region’ (Estonia),

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<sup>83</sup> European Commission (2022) *Recovery and Resilience Facility: National recovery and resilience plans*, [https://ec.europa.eu/info/business-economy-euro/recovery-coronavirus/recovery-and-resilience-facility\\_en#national-recovery-and-resilience-plans](https://ec.europa.eu/info/business-economy-euro/recovery-coronavirus/recovery-and-resilience-facility_en#national-recovery-and-resilience-plans).

or the purchase of new buses (Malta, Germany), each present opportunities and risks for disabled travellers. EU funds will be used to modernise public buildings (Lithuania), including hospital buildings (Slovakia) and schools (Slovenia), and to build ‘new hospitals and long-term care facilities’ (Czechia). It is vital that such capital refurbishment and infrastructure projects drawing on EU funding are not only compliant but also exemplary in their promotion of accessibility for persons with disabilities.

Within the theme of Digital transition there are several risks and opportunities for persons with disabilities arising from the key initiatives identified, which may benefit from further investigation by national experts and the Commission. Persons with disabilities, notably older persons, are less likely to have internet access at home and may face additional cost barriers to higher quality services and adaptive equipment. Member States are committed to increase uptake and digital services, including through the digitisation of public administration and e-government. Accessibility, additional disability costs and inclusive digital skills training are all key to ensuring that digitalisation investments are inclusive. Such key initiatives might include exemplar projects providing ‘IT equipment to disadvantaged learners in schools’ (Ireland) or IT-focused curriculum reforms (Czechia), or ‘digitalisation in education’ (Spain), ‘computer libraries’ (Latvia), investing in e-health (France), ‘one-stop-shop for all public administration online services’ (Croatia), or ‘Better services for citizens and businesses (e-government)’ (Slovakia). These and parallel examples would benefit from a disability perspective or equality audit.

Finally, within the theme of Economic and social resilience there are numerous examples of relevant key initiatives that, while not flagged as disability equality concerns should be considered from this perspective in reference to the Semester review. In the field of employment, there are several initiatives to restructure or modernise public employment services. There are also some key initiatives that address social services and benefit reforms, as well as education and childcare.

Persons with disabilities are less likely to be in employment, more likely to be seeking work, and more likely to be in contact with such services. For example, there are exemplar projects for a ‘one-stop shop for the long-term unemployed’ (Austria), ‘individualised support and training to job seekers’ (Belgium), the ‘My first job’ scheme (Estonia), ‘Redesigning and strengthening active labour market policies to increase full-time employment, including for long-term unemployed and disadvantaged people’ (Greece), a ‘Nordic model of employment services’ (Finland), ‘Jobs and training for young people’ (France), a ‘Work Placement Experience Programme’ (Ireland), and investment to ‘Digitalise the National Employment Agency’ (Luxembourg). In each of these cases it is relevant to ask if disabled job seekers are among the target groups, whether the services they use are included, and whether the reforms raise any questions of incomplete accessibility or inclusion for them.

In the field of social policies and health persons with disabilities are also over-represented as users of services in cash and kind. For example, several member states mention investments in early childcare services or facilities, to increase supply of places (Greece) and facilities (Italy) that are affordable (Czechia). There are efforts at ‘improving the provision of long-term care, in particular for children with higher care needs’ (Estonia), and ‘Enhancing social and health care capacities through

community-based solutions' (Slovakia). And investments in 'extending unemployment benefits in periods of high unemployment' (Estonia), 'reforming a guaranteed minimum income protection scheme', and 'increasing coverage of unemployment social insurance' (Lithuania). There may be a disability dimension to the impact of such types of projects, which would benefit from consideration of accessibility and inclusion.

While these examples are not exhaustive, and summary information for some Member States is missing, they draw attention to the need for a disability perspective in the Commission's assessment of implementation. Capital expenditure on the built environment, transport and ICTs should be compliant with EU expectations and standards for accessibility. Major projects, such as the redesign of sustainable transport systems, should aim for exemplary attention to disability equality by design. Reforms of employment support, public administration and social services of general interest should equally pay attention to the coverage of persons with disabilities' needs and their full participation and inclusion by design.

Table 7 summarises the availability of RRP summaries (June 2023), whether they refer to disability measures directly, and the kinds of general initiatives that may be most relevant to consider further from a disability perspective in the 2024 Semester.

**Table 7: Relevant measures identified in the RRP summaries**

| MS | Recovery and Resilience Plan<br>(summary initiatives)  |
|----|--|
| AT | <p>No direct reference to disability in the <a href="#">summary</a></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• investments in transport; low carbon home heating;</li> <li>• improving digital skills;</li> <li>• higher speed broadband;</li> <li>• computers and digital skills for secondary school pupils;</li> <li>• digital public administration;</li> <li>• reducing incentives for early retirement;</li> <li>• early childhood care facilities;</li> <li>• primary healthcare;</li> <li>• long-term care; and</li> <li>• example project: one-stop shop for the long-term unemployed.</li> </ul> |
| BE | <p>The <a href="#">summary</a> mentions disability only in reference participation of vulnerable groups.</p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• reform of pension regime;</li> <li>• renovation of buildings, including social housing;</li> <li>• improving railway infrastructure, and new buses;</li> <li>• digitising public administration to improve access for citizens;</li> <li>• digital skills;</li> <li>• more inclusive and future-proof education system; and</li> <li>• example project: individualised support and training to job seekers.</li> </ul>                                 |
| BG | <p>The <a href="#">summary</a> mentions disability with reference to modernising long-term care</p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• strengthening the adequacy and coverage of the minimum income scheme;</li> <li>• improving the provision of employment and social services and their integration;</li> </ul>  |

| MS | Recovery and Resilience Plan<br>(summary initiatives)  |
|----|--|
|    | <ul style="list-style-type: none"> <li>• modernising long-term care with a focus on people with disabilities and older people; and</li> <li>• modernization of hospitals and medical facilities.</li> </ul>  |
| CY | <p><b>No direct reference to disability in the <a href="#">summary</a></b></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• increasing emphasis on public transport;</li> <li>• digitalisation of public services;</li> <li>• upgrading digital infrastructure and tools in schools;</li> <li>• teacher training;</li> <li>• upgrade state hospitals;</li> <li>• upgrading school infrastructure; and</li> <li>• example project: supporting early childhood education and child care.</li> </ul>  |
| CZ | <p><b>No direct reference to disability in the <a href="#">summary</a></b></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• renovation to increase the energy efficiency of residential and public buildings, including childcare and long-term care facilities;</li> <li>• improving railway infrastructure;</li> <li>• example project: digital equipment for schools;</li> <li>• IT-focused curriculum reforms;</li> <li>• digital public administration;</li> <li>• increasing access to affordable pre-school care;</li> <li>• additional tutoring for children at risk of failure; and</li> <li>• building new hospitals and long-term care facilities.</li> </ul>   |
| DE | <p><b>No direct reference to disability in the <a href="#">summary</a></b></p> <p>Key measures of relevance might include;</p> <ul style="list-style-type: none"> <li>• investment in new buses and rail;</li> <li>• example project: support to buy electric cars;</li> <li>• making federal and regional public services digitally available;</li> <li>• create national online education platform;</li> <li>• additional childcare places; and</li> <li>• supporting apprentices.</li> </ul>  |
| DK | <p><b>No direct reference to disability in the <a href="#">summary</a></b></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• digitalisation of SMEs and the public administration; and</li> <li>• example project: Strengthen the digitalisation of the Danish healthcare system.</li> </ul>  |
| EE | <p><b>No direct reference to disability in the <a href="#">summary</a></b></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• a common transport system for the Tallinn capital region;</li> <li>• provision of digital skills;</li> <li>• digitalising public administration;</li> <li>• increasing the resilience and accessibility of the health care system;</li> <li>• increasing the resilience and accessibility of the health care system;</li> <li>• incentivising youth employment through wage and training support;</li> <li>• extending unemployment benefits in periods of high unemployment;</li> <li>• improving the provision of long-term care, in particular for children with higher care needs; and</li> <li>• example project: 'My first job'</li> </ul> |
| EL | <p><b>No direct reference to disability in the <a href="#">summary</a></b></p>   |

| MS | <b>Recovery and Resilience Plan (summary initiatives)</b>  |
|----|--|
|    | <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• investments in buses and rail;</li> <li>• promotion of electric vehicles;</li> <li>• digital transformation of the public sector, businesses, education and health system;</li> <li>• example project: digital transformation of education;</li> <li>• redesigning and strengthening active labour market policies to increase full-time employment, including for long-term unemployed and disadvantaged people;</li> <li>• create new early childcare places; and</li> <li>• comprehensive national public health programme.</li> </ul>   |
| ES | <p><b>No direct reference to disability in the <a href="#">summary</a></b></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• new social housing;</li> <li>• improving railway infrastructure;</li> <li>• developing urban public transport;</li> <li>• example project: energy renovations of residential buildings;</li> <li>• digital skills training;</li> <li>• digital transformation of the public administration;</li> <li>• example project: digitalisation in education;</li> <li>• improve youth employability;</li> <li>• modernise the vocational education and training system;</li> <li>• reforming the system of hiring incentives ;</li> <li>• developing individual pathways for counselling;</li> <li>• modernising public employment services; and</li> <li>• example project: modernising VET to boost economic growth and social inclusion.</li> </ul> |
| FI | <p><b>No direct reference to disability in the <a href="#">summary</a></b></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• digital innovations for social welfare and health care services;</li> <li>• reform of the public employment services;</li> <li>• streamlining healthcare service processes; and</li> <li>• example project: Nordic model of employment services.</li> </ul>  |
| FR | <p><b>No direct reference to disability in the <a href="#">summary</a></b></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• building renovation;</li> <li>• modernisation of railway network;</li> <li>• example project: 'Ma Prime Renov', thermal renovation of households;</li> <li>• digitalisation of primary and secondary schools;</li> <li>• example project: digitalisation of the education and training systems;</li> <li>• jobs and training for young people;</li> <li>• more inclusive education system;</li> <li>• apprenticeships, hiring subsidies, or places in boarding schools;</li> <li>• investing in e-health;</li> <li>• renovating medical centres and residential care homes for elderly people; and</li> <li>• example project: jobs and training for young people.</li> </ul>  |
| HR | <p><b>The <a href="#">summary</a> mentions disability with reference to sustainable mobility (investment in autonomous taxis).</b></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• example project: Post-earthquake reconstruction of public buildings;</li> </ul>  |

| MS | Recovery and Resilience Plan<br>(summary initiatives)  |
|----|--|
|    | <ul style="list-style-type: none"> <li>• digitalisation of the justice system;</li> <li>• Digital Identity Card;</li> <li>• one-stop-shop for all public administration online services;</li> <li>• redesigning active labour market policies;</li> <li>• improving the provision and adequacy of social benefits and services; and</li> <li>• example project: early childhood education and care.</li> </ul>   |
| HU | <b>No <a href="#">summary</a> information published</b>  |
| IE | <p><b>No direct reference to disability in the <a href="#">summary</a></b></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• energy efficiency in residential and public buildings;</li> <li>• digitalise the public administration, in particular the healthcare system;</li> <li>• promoting digital skills;</li> <li>• IT equipment to disadvantaged learners in schools;</li> <li>• access to the labour market for jobseekers;</li> <li>• increase the supply of social and affordable housing; and</li> <li>• example project: Work Placement Experience Programme.</li> </ul>  |
| IT | <p><b>The <a href="#">summary</a> mentions disability with reference to improving quality of life.</b></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• example project: Ecobonus, improving energy efficiency of residential buildings;</li> <li>• digitalisation of the public administration;</li> <li>• Example project: gigabit connectivity to schools and healthcare facilities;</li> <li>• increase the supply of childcare facilities;</li> <li>• improve women's and youth participation in the labour market;</li> <li>• reinforce vocational training;</li> <li>• enhancing the use of telemedicine;</li> <li>• strengthening local social services;</li> <li>• improving the quality of life of persons with disabilities; and</li> <li>• example project: childcare facilities.</li> </ul> |
| LT | <p><b>No direct reference to disability in the <a href="#">summary</a></b></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• renovations of buildings;</li> <li>• improving public transport services;</li> <li>• promote digital skills;</li> <li>• universal access to digital resources;</li> <li>• example project: development of Lithuanian-language technological resources;</li> <li>• modernising the infrastructure of healthcare facilities;</li> <li>• digitalisation of the health system;</li> <li>• quality accessible lifelong education;</li> <li>• reforming a guaranteed minimum income protection scheme; and</li> <li>• increasing coverage of unemployment social insurance.</li> </ul>   |
| LU | <p><b>No direct reference to disability in the <a href="#">summary</a></b></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• digitalise the public administration;</li> <li>• digital skills for workers;</li> <li>• example project: Digitalise the National Employment Agency (ADEM);</li> <li>• vocational training programmes, 'Digital Skills' and 'Futureskills';</li> <li>• increase the supply of affordable and sustainable housing; and</li> <li>• example project: 'Housing Pact 2.0'.</li> </ul>  |

| MS | <b>Recovery and Resilience Plan<br/>(summary initiatives)</b>   |
|----|---|
| LV | <p><b>No direct reference to disability in the <a href="#">summary</a></b></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• increase the energy efficiency of residential buildings;</li> <li>• example project: overhaul of the Riga metropolitan area transport infrastructure;</li> <li>• improving the basic and advanced digital skills of citizens;</li> <li>• example project: computer libraries;</li> <li>• investments in affordable housing;</li> <li>• increase the availability of integrated and high-quality healthcare services;</li> <li>• higher education reform; and</li> <li>• example project: modernising healthcare.</li> </ul>   |
| MT | <p><b>No direct reference to disability in the <a href="#">summary</a></b></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• new electric buses for public transport;</li> <li>• free public transport to more than 100 000 Maltese citizens;</li> <li>• digitalisation of the public administration and public services; and</li> <li>• better vocational education and training.</li> </ul>  |
| NL | <p><b>The <a href="#">summary</a> mentions disability with reference to insurance for self-employed persons.</b></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• support for fully electric, zero-emission inland waterway transport;</li> <li>• charging infrastructure for electric cars;</li> <li>• grants for investments in small-scale heat pumps, solar boilers, insulation and heat connections to improve energy efficiency;</li> <li>• investments in digital skills education and in digital skills development;</li> <li>• digitalisation of education;</li> <li>• promoting smart mobility solutions;</li> <li>• e-health applications;</li> <li>• acute shortage of human resources in the care sector; and</li> <li>• improving the social protection coverage for the self-employed via the introduction of a mandatory disability insurance.</li> </ul> |
| PL | <p><b>No direct reference to disability in the <a href="#">summary</a></b></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• energy-efficient renovation of buildings ;</li> <li>• universal access to high-speed internet;</li> <li>• digitalisation of public services and education;</li> <li>• improving digital skills;</li> <li>• example project: digitalisation of schools;</li> <li>• low labour market participation of women and disadvantaged groups;</li> <li>• shortcomings of the healthcare services;</li> <li>• development of long-term care;</li> <li>• accessibility and effectiveness of the healthcare system; and</li> <li>• example project: improving availability and quality of childcare.</li> </ul>   |
| PT | <p><b>The <a href="#">summary</a> mentions disability with reference to social services.</b></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• improve the energy-efficiency of residential buildings;</li> <li>• extensions of the metro networks in Lisbon and Porto;</li> <li>• example project: Bus Rapid Transit system in Porto;</li> <li>• increase the digitalisation of medical records;</li> </ul>   |

| MS | Recovery and Resilience Plan<br>(summary initiatives)   |
|----|---|
|    | <ul style="list-style-type: none"> <li>• digital skill trainings and tailored coaching and support to adopt digital technologies for SMEs;</li> <li>• example project: digitalisation of the Portuguese workforce;</li> <li>• increasing the supply of social housing solutions for various target groups;</li> <li>• extending the coverage of social services, including long-term care and actions for persons with disabilities;</li> <li>• modernisation of vocational education and training institutions; and</li> <li>• example project: support programme for access to housing.</li> </ul>  |
| RO | <p>The <a href="#">summary</a> mentions disability with reference to accessibility of buildings renovation.</p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• sustainable transport;</li> <li>• building renovation;</li> <li>• digitalization of public administration and public services;</li> <li>• virtual access to healthcare and education ;</li> <li>• support urban mobility through infrastructure for a green and safer urban transport;</li> <li>• energy renovation rate of multi-family buildings and public buildings;</li> <li>• example project: qualified electronic identity cards and digital signature;</li> <li>• modernization of railways;</li> <li>• example project: Minimum Inclusion Income Reform; and</li> <li>• improve social assistance and reduce poverty for the most vulnerable.</li> </ul>   |
| SE | <p>No direct reference to disability in the <a href="#">summary</a></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• broadband network roll-out ;</li> <li>• increased numbers of study places in higher vocational education;</li> <li>• scale-up education at universities and other higher education institutions;</li> <li>• upgrading digital services in public administration;</li> <li>• example project: Digital connectivity: accelerating broadband network roll-out in sparsely populated areas;</li> <li>• upgrade skills in segments of the labour market to match market demands ;</li> <li>• reduce educational gaps and enhance labour market integration;</li> <li>• upskilling and training of staff working in elderly care centres;</li> <li>• increases the average retirement age; and</li> <li>• example project: Employment and labour market – Improving employability by expanding upper secondary vocational training.</li> </ul> |
| SI | <p>No direct reference to disability in the <a href="#">summary</a></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• renovation of buildings, including schools;</li> <li>• example project: measures to increase up-take of public transport;</li> <li>• increase use of public e-services;</li> <li>• increasing digital skills;</li> <li>• example project: digitalisation in education;</li> <li>• setting-up of a long-term care system; and</li> <li>• access to more affordable housing for those in or close to poverty and social exclusion.</li> </ul>  |
| SK | <p>No direct reference to disability in the <a href="#">summary</a></p> <p>Key measures of relevance might include:</p> <ul style="list-style-type: none"> <li>• modernisation of railways;</li> <li>• new cycling infrastructure;</li> <li>• creating integrated public transport systems in six regions.;</li> </ul>  |

| MS | Recovery and Resilience Plan<br>(summary initiatives)  |
|----|--|
|    | <ul style="list-style-type: none"><li>• example project: energy efficiency in family houses;</li><li>• finance digital equipment, including for children from socially disadvantaged backgrounds, to enhance digital skills;</li><li>• example project: better services for citizens and businesses (e-government);</li><li>• improving the accessibility of primary care services;</li><li>• modernisation of hospital buildings;</li><li>• enhancing social and health care capacities through community- based solutions; and</li><li>• example project: reform of the content and form of education.</li></ul> |

### 3 Update on EU and national disability strategies

In 2021 there were significant developments in disability strategy, which should be recognized and reflected in the Semester cycle – both at the EU and national level. The EU adopted its new strategy, following conclusion of the preceding ten-year initiative, and many of the Member States refreshed their own domestic disability action plans on similar timescales. In both cases, there has been an increased emphasis on alignment with the rights based global framework provided by the CRPD. The context of the EU strategy is summarised below, followed by updates on the status of national disability strategies and action plans in the Member States.

#### 3.1 EU Strategy for the Rights of Persons with Disabilities

The EU Strategy for the Rights of Persons with Disabilities 2021-2030 was adopted by the Commission in 2021. It built upon and strengthened the commitments made in the previous European Disability Strategy 2010-2020 and, like its predecessor, made specific commitments in relation to the European Semester. The Strategy was envisioned in the action plan of the European Pillar of Social Rights, under the goal of ‘inclusion of people with disabilities’ (Pillar principle 17) and linked disability equality with the wider social agenda on promoting diversity.<sup>84</sup> It calls for coordinated action at both national and EU level, with a strong commitment from Member States and regional and local authorities to deliver on the actions proposed, and also makes strong connections to implementation of the UN CRPD (under which the EU and states have parallel obligations).

The Strategy centres on three core themes of relevance to the Semester:

- EU rights (including support for free movement and political participation);
- Independent living and autonomy (including support to improve social services);
- Non-discrimination and equal opportunities (including equal access to health services and employment).

Specific commitments to mainstream disability equality in the Semester were highlighted as follows:

- ‘To ensure better labour market outcomes for persons with disabilities, the Commission will continue to support Member States in the implementation of the relevant Employment Guidelines through the European Semester, in developing statistical tools as well as promoting the exchange of best practices in the context of the Social Open Method of Coordination.’ – with a flagship initiative planned for 2022 (pp. 10-11);
- ‘Based on more comprehensive data collection, the Commission will strengthen monitoring of disabilities in the context of the European Semester.’ (p. 28)

<sup>84</sup> European Commission (2021) *The European Pillar of Social Rights Action Plan*, <https://op.europa.eu/webpub/empl/european-pillar-of-social-rights/en/>.

Although the emphasis is on the Semester's strong focus on employment and labour market dynamics, it is important to consider that many of the other Strategy priorities are also very relevant to the Semester analysis, including:

- developing independent living and reinforcing community-based services;
- developing new skills for new jobs;
- fostering access to quality and sustainable jobs;
- consolidating social protection systems;
- equal access to social protection, healthcare, education and goods and services including housing;
- inclusive and accessible education; and
- sustainable and equal access to healthcare.

These are all areas in which the Commission may wish to draw attention to the disability implications of policy developments and investment priorities during the 2024 Semester cycle.

In addition, the Strategy emphasises the underpinning significance of accessibility and the role of EU funds in supporting strategic implementation, linking this to EU regulatory obligations to benefit from shared management funds and aligning the use of such funds with principles of the UN CRPD. It will be relevant in particular to analyse financing from the RRF from a disability perspective for consistency with EU disability strategy and CRPD (as shown earlier, Member States were encouraged to mainstream accessibility funding under the Recovery and Resilience Plans).

The main thematic synergies between EU disability Strategy and the priorities of the European Semester can be summarised as follows:

- **Promoting inclusive employment:** The EU Strategy seeks to promote the employment of persons with disabilities, including through the implementation of the European Disability Strategy and the European Pillar of Social Rights. This is also a priority area for the European Semester, which seeks to promote inclusive labour markets and reduce unemployment.
- **Investing in accessibility:** The EU Strategy aims to promote accessibility for persons with disabilities in all areas of life, including the built environment, transport, and information and communication technologies. This is also relevant to the European Semester, which seeks to promote investment in infrastructure and innovation, including Digitalisation and Green Transition.
- **Ensuring access to social protection:** The EU Strategy seeks to ensure that persons with disabilities have access to social protection systems, including health care, long-term care, and social assistance. This is also a priority area for the European Semester, which seeks to promote social inclusion and reduce poverty.
- **Promoting inclusive education and training:** The EU Strategy aims to promote inclusive education and training for persons with disabilities, including through the implementation of the European Education Area and the Erasmus+

programme. This is also relevant to the European Semester, which seeks to promote investment in education and training to support human capital development and economic growth.

Some specific actions in delivering the EU Strategy are also relevant to consider in relation to the current and future Semester cycles. The following flagship initiatives are particularly relevant.

The launch of a Disability Employment Package in 2023 was outlined earlier (Section 1.7) and mentioned in the 2023 Joint Employment Plan.<sup>85</sup> This aims to improve labour market participation and outcomes for persons with disabilities with a focus on measures to assist the Member States in reducing the disability employment gaps evident from the Social Scorecard.

The development of EU guidance on independent living and inclusion in the community was delayed during 2022. However, considerable work was undertaken by stakeholders in context of a European Expert Group (EEG) on the transition from institutional to community-based care. Their working paper and recommendations provided a useful framework to assess key challenges and necessary reforms.<sup>86</sup> This should be read also in context of the UN Committee's General comment on Article 19 CRPD,<sup>87</sup> and 2022 Guidelines on deinstitutionalisation.<sup>88</sup> Progress on the EU initiative is expected during the Semester cycle and will be an important policy reference point. In addition, it is expected that a framework for social services of excellence for persons with disabilities will be developed during 2024.

A Commission Proposal for a European Disability Card is anticipated also during the Semester cycle (by the end of 2023) and would apply to all Member States. The concept of the card is to make it easier for persons with disabilities to access the support they need when travelling or moving between Member States (by facilitating mutual recognition of disability status). The scope of the Card is not yet determined but it has potential for application across a range of policy functions.<sup>89</sup>

<sup>85</sup> European Commission, Disability Employment Package to improve labour market outcomes for persons with disabilities, 2022, <https://ec.europa.eu/social/main.jsp?catId=1597&langId=en>.

<sup>86</sup> European Expert Group on the transition from institutional to community-based care, *EU Guidance on independent living and inclusion in the community*, 2022, <https://deinstitutionalisationdotcom.files.wordpress.com/2022/12/eu-guidance-on-independent-living-and-inclusion-in-the-community-2-1.pdf>.

<sup>87</sup> Committee on the Rights of Persons with Disabilities, *General comment No.5 on Article 19 - the right to live independently and be included in the community*, CRPD/C/GC/5, 2017, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/328/87/PDF/G1732887.pdf>.

<sup>88</sup> Committee on the Rights of Persons with Disabilities, *Guidelines on deinstitutionalization, including in emergencies*, CRPD/C/5, 2022, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/5](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/5).

<sup>89</sup> Priestley, M., *Disability assessment, mutual recognition and the EU Disability Card – Progress and opportunities*, 2022, [https://www.europarl.europa.eu/RegData/etudes/STUD/2022/739397/IPOL\\_STU\(2022\)739397\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2022/739397/IPOL_STU(2022)739397_EN.pdf).

The selection of themes and policy initiatives above illustrates the potential for mainstreaming disability equality concerns into the policy context of the European Semester co-ordination process at the EU level. Parallel connections can also be made with disability strategies and action plans at the national level.

### **3.2 National disability strategies and action plans**

In parallel with developments in EU disability strategy, most of the Member States launched or updated national disability strategies and action plans in the period of review for this report (2020-2023). For example, new or amended strategies or action plans were adopted during the current Semester period in Austria, Cyprus, Croatia, Ireland, Italy, Poland, Malta and Slovenia. In most cases, these plans aligned closely with national implementation of UN CRPD and in some cases referred also to EU level disability strategy. Previous strategy implementation periods also expired in some Member States, such as in Denmark, Greece, Latvia, The Netherlands or Sweden.

The main aim of this synthesis report is to monitor and to promote good practice in disability equality mainstreaming in the Semester co-ordination process. Ideally, the Member States' reform programmes should include disability policy planning using an integrated multi-level governance approach. Policy co-ordination should include linkages between NRP measures, relevant principles of the Social Pillar, the SDGs and the Scorecard, with investments identified in the RRP. From a disability perspective, it should recognize linkages between relevant NRP measures, domestic disability strategies, EU disability strategy and the CRPD.

For example, an NRP measure to bring more persons with disabilities into the labour market might be reported with reference to national disability strategy as well as to actions under Social Pillar Principle 17. It might refer to closing the disability employment gap reported in the Social Scorecard and acknowledge funds allocated in the RRP. It might cross-reference elements of EU disability strategy or implementation of the CRPD. Despite the complexity of this task there was considerable evidence of progress in the Semester packages during the period of this review (the 2021 to 2023 cycles). At least half of Member States evidenced at least some awareness of national disability strategy in their 2022 NRPs. In the 2023 Spring Package there was slightly less evidence of this, however.

The most recent information available about national disability action plans (DAP) in each country (reviewed May 2023) is summarised in Table 8 with links to sources. Where the plan was also mentioned in the 2023 NRP this is indicated.

**Table 8: Status of national disability strategies and action plans in 2023**

| Country | National DAP  | Details  |
|---------|---|--|
| AT      | <a href="#">National Action Plan on Disability 2022-2030</a>  | The National Action Plan on Disability 2012-2020 was evaluated and a second National Action Plan on Disability 2022-2030 was adopted in 2022, as a national counterpart to the EU disability strategy 2021-2030. This includes 288 objectives and 375 measures.  |
| BE      | <a href="#">Plan d'action fédéral handicap (2021-2024)</a>  | In 2021 the Council of Ministers invited the Minister for People with Disabilities to develop an interfederal disability strategy (2021-2030) and Federal Disability Action Plan (2021-2024). The Plan was adopted in July 2021 (Actieplan handicap / Plan d'action handicap). The plan includes 145 measures covering all aspects of life within the policy areas of the federal government.  |
| BG      | <a href="#">National Strategy for Persons with Disabilities (2021-2030)</a>   | A new National Strategy for People with Disabilities 2021-2030 was adopted by the Council of Ministers in December 2020. An action plan for 2021-2022 was adopted by Decision No. 741 of the Council of Ministers in October 2021. There is also a National Program for Accessible Housing and Personal Mobility of People with Disabilities.  |
| CY      | <a href="#">The First Cyprus Disability Strategy 2018-2028 and The Third Disability Action Plan 2021-23</a>                   | The First National Strategy for Disability 2018-2028 was linked to the UN CRPD Committee recommendations to Cyprus, and the previous European Disability Strategy 2010-2020. A third National Disability Action Plan 2021-2023 was approved by the Council of Ministers in December 2021, including legislative and institutional reforms.   |
| CZ      | <a href="#">National Plan for the Promotion of Equal Opportunities for Persons with Disabilities for the Period 2021–2025</a> | The National Plan for the Promotion of Equal Opportunities for Persons with Disabilities 2021-2025 was approved by government in July 2020, following broadly the structure of the UN CRPD. This includes 17 themes. An implementation report is evaluated every year. An <a href="#">English version</a> is available.  |
| DE      | <a href="#">National Action Plan for the UN Convention on the Rights of Persons with Disabilities 2.0 (2016-2021)</a>         | The Federal Ministry of Labour presents a new disability action plan every five years. The second NAP covered the period to 2021 and addresses national implementation of the UN CRPD specifically.  |
| DK      | <a href="#">Policy statement and Action Plan for Disability Policy (2013, 2014, 2016)</a>                                     | A disability action plan was developed in 2013 and reviewed in 2014. A Disability Policy Statement was published by the Ministry of Social Affairs and the Interior in 2016. In 2019 the Department of Human Rights recommended the government to introduce a national disability action plan, following widespread demands from civil society.  |
| EE      | <a href="#">Welfare Development Plan 2016–2023</a>  | Disability issues (as well as gender equality) were addressed in the broader Welfare Development Plan 2016-2023, which focuses on employment, social protection and support for independent living. In April 2021, the UN CRPD Committee recommended that Estonia 'Adopt a comprehensive disability strategy and a national action plan for implementing the rights of persons with disabilities in the Convention, across all government sectors and levels, in order to address attitudinal and environmental barriers that hinder participation of persons with disabilities in society'. |

| Country | National DAP   | Details  |
|---------|--|--|
| EL      | <a href="#">Action Plan for the Rights of Persons with Disabilities</a>  | In 2019, the UN Committee recommended that Greece 'Develop a comprehensive, coherent and long-term national strategy and action plan for the implementation of the Convention, with clear timelines, benchmarks and budget allocations'. The government launched a National Plan of Action on the Rights of People with Disabilities at the end of 2020, following consultation. |
| ES      | <a href="#">The Spanish Disability Strategy 2022-2030</a>  | In 2019, the UN Committee recommended Spain's adoption of an Action Plan for the previous disability strategy 2014-2020. A new Spanish Disability Strategy 2022-2030 was approved in May 2022. This addresses seven strategic challenges.  |
| FI      | <a href="#">National Program of Action of the UN Convention on the Rights of Persons with Disabilities 2020-2023</a>           | A National Action Plan on the UN CRPD was prepared for 2018-2019 by the Advisory Board for the Rights of Persons with Disabilities (VANE), following consultation. This was updated in a second plan for the period 2020-2023, comprising 110 measures.  |
| FR      | <a href="#">Interministerial policy priorities 2018-2023</a>   | An inter-ministerial strategy was adopted for the period 2018-2023, developed in five working groups. Policy responsibility is devolved to each Ministry under co-ordination of an Interministerial Committee (CIH), which means that there is no single disability policy document of reference.  |
| HR      | <a href="#">National Strategy of Equalisation of Opportunities for Persons with Disabilities 2021-2027</a>                     | Following consultation, a new National Plan for Equalization of Opportunities for Persons with Disabilities 2021-2027 was adopted in December 2021, with a corresponding Action Plan for Equalisation of Opportunities for Persons with Disabilities for the period 2021-2024  |
| HU      | <a href="#">Implementation of the National Disability Program 2022</a>   | The <a href="#">National Disability Program</a> (OFP) was developed for the decade 2015-2025. The current Action Plan was adopted in 2020 for the period to 2022.  |
| IE      | <a href="#">National Disability Inclusion Strategy 2017-2021</a>   | A five-year national strategy was developed for the period 2017-2021, in preparation for ratification of the UN CRPD, with initial progress evaluated in 2019. There is a <a href="#">Comprehensive Employment Strategy for People with Disabilities 2015-2024</a> , and a <a href="#">National Housing Strategy for Disabled People 2022-2027</a> was published in 2022.        |
| IT      | <a href="#">The second biennial action program for the promotion of the rights and integration of people with disabilities</a> | A process of biennial action programmes on disability rights was developed in 2009, with the most recent version legislated in 2017. Following public consultation and a National Conference on disability policies in December 2021 a third biennial action program was anticipated but no further progress is reported.  |
| LT      | <a href="#">Action Plan for the Social Integration of the Disabled for 2021-2023</a>   | A National Programme for the Social Integration of the Disabled 2013-2019 was adopted in 2012. The current Action Plan was approved in 2020 for the period 2021-2023.  |
| LU      | <a href="#">National action plan for the implementation of the Convention on the Rights of Persons with</a>                    | A National action plan for the implementation of the CRPD 2019-2024 was approved in December 2019, including 29 priorities, 55 objectives and 97 actions.  |

| Country | National DAP  | Details  |
|---------|---|--|
|         | <a href="#">Disabilities 2019-2024</a>  |  |
| LV      | <a href="#">Plan Promoting Equal Opportunities for Persons with Disabilities for 2021-2023</a>                                      | Guidelines for implementation of the UN CRPD were developed for the period 2014-2020. An action plan was concluded for 2018-2020, with a plan for creating accessibility 2019-2021. In August 2021, the Government approved a new action plan for 2021-2023.   |
| MT      | <a href="#">Freedom to Live, Malta's 2021-2030 National Strategy on the Rights of Disabled Persons</a>                              | A National Policy on the Rights of Persons with Disability was published in 2014. Following consultations a National Strategy on the Rights of Disabled Persons 2021-2030, Freedom to Live, was launched in September 2021.  |
| NL      | <a href="#">Unlimited participation! Implementation of the UN Convention on the Rights of Persons with Disabilities (2018-2021)</a> | A revised UN CRPD implementation plan was developed in 2018 for the period 2018–2021 (and annexed to the initial state party report).  |
| PL      | <a href="#">Strategy for People with Disabilities (2021-2030)</a>   | A Disability Strategy for the period 2021-30 was adopted in 2021. There is also the governmental programme <a href="#">Accessibility Plus 2018–2025</a> as well as <a href="#">the Social Services Development Strategy till 2030, with an outlook till 2035</a> (adopted in 2022 and including a deinstitutionalization strategy). An <a href="#">Annual Action Plan in Support of People with Disabilities for 2022</a> was also announced in November 2021. |
| PT      | <a href="#">National Strategy for the Inclusion of People with Disabilities 2021-2025</a>   | National disability strategies were developed from 2011. Following consultation in 2020 the National Strategy for the Inclusion of Persons with Disabilities 2021-2025 was approved by resolution of the Council of Ministers in July 2021. This is structured around eight strategic axes.  |
| RO      | <a href="#">National Strategy on the Rights of Persons with Disabilities 2022-2027</a>  | Following a previous strategy period 2016-2020, a new draft strategy, for implementation of the UN CRPD was proposed in 2021. The National Strategy on the Rights of Persons with Disabilities 'A Fair Romania 2022-2027' and its Operational Plan were approved in April 2022. It includes 9 lines of action.   |
| SE      | <a href="#">National Goal and Focus on Disability Policy</a>  | A national strategy for disability policy was adopted in 2016, taking the UN CRPD as a starting point and with sectoral actions for the period 2017-2020. An inquiry to review the governance of disability policy reported in 2019 proposed that it become an integral part of human rights work. No new strategy has been developed.   |
| SI      | <a href="#">Action Plan for Persons with Disabilities 2022-2030</a>   | A national action plan, based on UN CRPD implementation, was agreed in 2014 for the period 2014-2021. A new Action Programme for Persons with Disabilities 2022–2030 was published in November 2021, including 13 objectives.  |
| SK      | <a href="#">National Programme on Improving the living conditions of persons with disabilities for 2021-2030</a>                    | A National Programme was developed for the period 2014-2020, based on implementation of the UN CRPD. This was updated with a new strategic programme for 2021-2030, with an action plan for the period 2021-2024.  |

#### 4 Update on Member States' participation in the UN CRPD process

As shown earlier, the guidance on preparation of the RRP requested Member States to report how their plans would conform with the UN CRPD in areas of policy relevance. It is therefore useful to look for synergies between the Semester reporting and CRPD reporting by each Member State, and for gaps and issues highlighted by the CRPD process that may be particularly relevant to the Semester reviews.

In the preparation of this report, the status of each Member State in relation to the CRPD co-ordination process was checked against the UN Treaty database and verified with national experts where necessary. In 2021 and 2022, this extensive information was transposed into the disability fiche for each country to assist the EDE national experts in monitoring the Semester. There are no arrangements at the time of writing to prepare country fiches for the 2024 Semester at the time of writing (May 2023) but the collated information will be useful for the Commission's input to the Semester from a disability perspective. Nevertheless, the information collected in 2023 remains largely the same as in 2022.

By 2022, all the EU Member States had submitted at least one implementation report to the UN CRPD Committee. Some of the Member States are in their first cycle of reporting, while others are now in their second and third cycles.<sup>90</sup> For example, the UN Committee plans the second round of dialogue with Austria, and Germany in September 2023, ahead of the new European Semester cycle, in September 2023, while Spain is due to submit its combined fourth and fifth cycle reports also around this time.

The following table indicates the progress of initial reports submitted by the EU and Member States as Parties to the CRPD, arranged in date order. Romania was the final Member State to submit an initial report in 2022, after some delay. No new reports were submitted by Member States during the period under review (June 2022 to May 2023) but the EU submitted its second report in April 2023.

**Table 9: Initial reports of Parties to the CRPD from the EU and Member States (by date)**

| Country        | UN document  | Date      | Source                        |
|----------------|--------------|-----------|-------------------------------|
| Spain          | CRPD/C/ESP/1 | 03-May-10 | <a href="#">View document</a> |
| Hungary        | CRPD/C/HUN/1 | 14-Oct-10 | <a href="#">View document</a> |
| Austria        | CRPD/C/AUT/1 | 02-Nov-10 | <a href="#">View document</a> |
| Sweden         | CRPD/C/SWE/1 | 07-Feb-11 | <a href="#">View document</a> |
| Belgium        | CRPD/C/BEL/1 | 28-Jul-11 | <a href="#">View document</a> |
| Denmark        | CRPD/C/DNK/1 | 24-Aug-11 | <a href="#">View document</a> |
| Germany        | CRPD/C/DEU/1 | 19-Sep-11 | <a href="#">View document</a> |
| Croatia        | CRPD/C/HRV/1 | 27-Oct-11 | <a href="#">View document</a> |
| Czech Republic | CRPD/C/CZE/1 | 01-Nov-11 | <a href="#">View document</a> |
| Slovakia       | CRPD/C/SVK/1 | 26-Jun-12 | <a href="#">View document</a> |
| Portugal       | CRPD/C/PRT/1 | 08-Aug-12 | <a href="#">View document</a> |
| Lithuania      | CRPD/C/LTU/1 | 19-Sep-12 | <a href="#">View document</a> |

<sup>90</sup> The relevant cycle is indicated in the relevant document reference numbers by the suffix 1 or 2-3.

|                |                |             |                               |
|----------------|----------------|-------------|-------------------------------|
| Italy          | CRPD/C/ITA/1   | 21-Jan-13   | <a href="#">View document</a> |
| Cyprus         | CRPD/C/CYP/1   | 02-Aug-13   | <a href="#">View document</a> |
| Luxembourg     | CRPD/C/LUX/1   | 04-Mar-14   | <a href="#">View document</a> |
| Latvia         | CRPD/C/LVA/1   | 03-Apr-14   | <a href="#">View document</a> |
| European Union | CRPD/C/EU/1    | 06-Jun-14   | <a href="#">View document</a> |
| Slovenia       | CRPD/C/SVN/1   | 18-Jul-14   | <a href="#">View document</a> |
| Bulgaria       | CRPD/C/BGR/1   | 21-Jul-14   | <a href="#">View document</a> |
| Poland         | CRPD/C/POL/1   | 24-Sep-14   | <a href="#">View document</a> |
| Malta          | CRPD/C/MLT/1   | 10-Nov-14   | <a href="#">View document</a> |
| Greece         | CRPD/C/GRC/1   | 01-Jun-15   | <a href="#">View document</a> |
| Estonia        | CRPD/C/EST/1   | 04-Dec-15   | <a href="#">View document</a> |
| France         | CRPD/C/FRA/1   | 18-May-16   | <a href="#">View document</a> |
| Hungary        | CRPD/C/HUN/2-3 | 30-Apr-18   | <a href="#">View document</a> |
| Netherlands    | CRPD/C/NLD/1   | 13-Jul-18   | <a href="#">View document</a> |
| Finland        | CRPD/C/FIN/1   | 09-Aug-19   | <a href="#">View document</a> |
| Austria        | CRPD/C/AUT/2-3 | 17-Oct-19   | <a href="#">View document</a> |
| Sweden         | CRPD/C/SWE/2-3 | 25-Nov-19   | <a href="#">View document</a> |
| Lithuania      | CRPD/C/LTU/2-3 | 16-Feb-20   | <a href="#">View document</a> |
| Latvia         | CRPD/C/LVA/2-3 | 17-Sep-21   | <a href="#">View document</a> |
| Ireland        | CRPD/C/IRL/1   | 08-Nov-21   | <a href="#">View document</a> |
| Romania        | CRPD/C/ROU/1   | 03-Mar-22   | <a href="#">View document</a> |
| European Union | CRPD/C/EU/2-3  | 18 Apr 2023 | <a href="#">View document</a> |

Following the submission of initial reports from each Party to the Convention, the UN CRPD Committee reviews the evidence and requests further information in the form of a List of Issues (and this is repeated prior to each subsequent round of reporting). The types of questions raised are often relevant also to monitoring disability policies in the Semester. These types of Issues are illustrated in detail later. For ease of reference, links to the Lists of Issues raised with each Member State are provided in the table below. The most recent Issues raised were for the Netherlands in 2022 and for Lithuania in 2023. Planned Lists of Issues for Portugal and Italy were postponed in 2022 but are anticipated. According to the schedule of the UN Committee, a List of Issues arising from Finland's implementation should be adopted in September 2023.<sup>91</sup>

**Table 10: UN CRPD Lists of Issues raised with the EU and Member States (by date)**

| Country | UN document    | Date      | Source                        |
|---------|----------------|-----------|-------------------------------|
| Spain   | CRPD/C/ESP/Q/1 | 20-Jun-11 | <a href="#">View document</a> |
| Hungary | CRPD/C/HUN/Q/1 | 16-May12  | <a href="#">View document</a> |
| Austria | CRPD/C/AUT/Q/1 | 19-Apr-13 | <a href="#">View document</a> |
| Sweden  | CRPD/C/SWE/Q/1 | 30-Sep-13 | <a href="#">View document</a> |
| Belgium | CRPD/C/BEL/Q/1 | 17-Apr-14 | <a href="#">View document</a> |

<sup>91</sup> Committee on the Rights of Persons with Disabilities, Committee's Secretariat, When will the Committee consider my country? Note on the status of reports of 185 parties to the Convention Updated 15 December 2022, [https://www.ohchr.org/sites/default/files/Documents/HRBodies/CRPD/Tentative\\_forecasts\\_Country\\_reviews.docx](https://www.ohchr.org/sites/default/files/Documents/HRBodies/CRPD/Tentative_forecasts_Country_reviews.docx).

|                         |                    |           |                               |
|-------------------------|--------------------|-----------|-------------------------------|
| <b>Denmark</b>          | CRPD/C/DNK/Q/1     | 17-Apr-14 | <a href="#">View document</a> |
| <b>Germany</b>          | CRPD/C/DEU/Q/1     | 17-Apr-14 | <a href="#">View document</a> |
| <b>Croatia</b>          | CRPD/C/HRV/Q/1     | 10-Oct-14 | <a href="#">View document</a> |
| <b>Czechia Republic</b> | CRPD/C/CZE/Q/1     | 10-Oct-14 | <a href="#">View document</a> |
| <b>European Union</b>   | CRPD/C/EU/Q/1      | 17-Apr-15 | <a href="#">View document</a> |
| <b>Lithuania</b>        | CRPD/C/LTU/Q/1     | 11-Sep-15 | <a href="#">View document</a> |
| <b>Portugal</b>         | CRPD/C/PRT/Q/1     | 11-Sep-15 | <a href="#">View document</a> |
| <b>Slovakia</b>         | CRPD/C/SVK/Q/1     | 11-Sep-15 | <a href="#">View document</a> |
| <b>Italy</b>            | CRPD/C/ITA/Q/1     | 24-Mar-16 | <a href="#">View document</a> |
| <b>Cyprus</b>           | CRPD/C/CYP/Q/1     | 09-Sep-16 | <a href="#">View document</a> |
| <b>Latvia</b>           | CRPD/C/LVA/Q/1     | 20-Mar-17 | <a href="#">View document</a> |
| <b>Luxembourg</b>       | CRPD/C/LUX/Q/1     | 20-Mar-17 | <a href="#">View document</a> |
| <b>Spain</b>            | CRPD/C/ESP/QPR/2-3 | 12-Apr-17 | <a href="#">View document</a> |
| <b>Hungary</b>          | CRPD/C/HUN/QPR/2-3 | 12-Apr-17 | <a href="#">View document</a> |
| <b>Bulgaria</b>         | CRPD/C/BGR/Q/1     | 08-Sep-17 | <a href="#">View document</a> |
| <b>Slovenia</b>         | CRPD/C/SVN/Q/1     | 29-Sep-17 | <a href="#">View document</a> |
| <b>Malta</b>            | CRPD/C/MLT/Q/1     | 14-Mar-18 | <a href="#">View document</a> |
| <b>Poland</b>           | CRPD/C/POL/Q/1     | 14-Mar-18 | <a href="#">View document</a> |
| <b>Germany</b>          | CRPD/C/DEU/QPR/2-3 | 21-Sep-18 | <a href="#">View document</a> |
| <b>Sweden</b>           | CRPD/C/SWE/QPR/2-3 | 11-Oct-18 | <a href="#">View document</a> |
| <b>Austria</b>          | CRPD/C/AUT/QPR/2-3 | 12-Oct-18 | <a href="#">View document</a> |
| <b>Czechia</b>          | CRPD/C/CZE/QPR/2-3 | 29-Apr-19 | <a href="#">View document</a> |
| <b>Belgium</b>          | CRPD/C/BEL/QPR/2-3 | 30-Apr-19 | <a href="#">View document</a> |
| <b>Denmark</b>          | CRPD/C/DNK/QPR/2-3 | 30-Apr-19 | <a href="#">View document</a> |
| <b>Greece</b>           | CRPD/C/GRC/Q/1     | 7-May-19  | <a href="#">View document</a> |
| <b>Estonia</b>          | CRPD/C/EST/Q/1     | 10-May-19 | <a href="#">View document</a> |
| <b>Slovakia</b>         | CRPD/C/SVK/QPR/2-3 | 22-Oct-19 | <a href="#">View document</a> |
| <b>France</b>           | CRPD/C/FRA/Q/1     | 30-Oct-19 | <a href="#">View document</a> |
| <b>Croatia</b>          | CRPD/C/HRV/QPR/2-4 | 03-Apr-20 | <a href="#">View document</a> |
| <b>Netherlands</b>      | CRPD/C/NLD/Q/1     | 01-Apr-22 | <a href="#">View document</a> |
| <b>European Union</b>   | CRPD/C/EU/QPR/2-3  | 25-Mar-22 | <a href="#">View document</a> |
| <b>Lithuania</b>        | CRPD/C/LTU/Q/2-3   | 31-Mar-23 | <a href="#">View document</a> |

After dialogue, and consideration of evidence from civil society stakeholders, the UN Committee proceeds to reach Concluding Observations on the progress made by each Party. These observations identify any concerns raised by the reporting of evidence, together with recommendations for action to strengthen the implementation. In this way, the UN CRPD process of progress reporting, dialogue and recommendation has some similarities to the open method of policy co-ordination employed in the Semester process (but over a multi-year period). Again, for reference, links to the Concluding Observations for the EU and each Member State are included in the table below. The most recent Conclusions were for Hungary in 2022 but, again, and no new Conclusions were reached during the period of this update (June 2022 to May 2023).

**Table 11: UN CRPD Concluding Observations to the EU and Member States (by date)**

| Country        | UN document       | Date       | Source                        |
|----------------|-------------------|------------|-------------------------------|
| Spain          | CRPD/C/ESP/CO/1   | 19-Oct-11  | <a href="#">View document</a> |
| Hungary        | CRPD/C/HUN/CO/1   | 22-Oct-12  | <a href="#">View document</a> |
| Austria        | CRPD/C/AUT/CO/1   | 30-Sept-13 | <a href="#">View document</a> |
| Sweden         | CRPD/C/SWE/CO/1   | 11-Apr-14  | <a href="#">View document</a> |
| Belgium        | CRPD/C/BEL/CO/1   | 03-Oct-14  | <a href="#">View document</a> |
| Denmark        | CRPD/C/DNK/CO/1   | 03-Oct-14  | <a href="#">View document</a> |
| Croatia        | CRPD/C/HRV/CO/1   | 17-Apr-15  | <a href="#">View document</a> |
| Czech Republic | CRPD/C/CZE/CO/1   | 17-Apr-15  | <a href="#">View document</a> |
| Germany        | CRPD/C/DEU/CO/1   | 17-Apr-15  | <a href="#">View document</a> |
| European Union | CRPD/C/EU/CO/1    | 04-Sep-15  | <a href="#">View document</a> |
| Lithuania      | CRPD/C/LTU/CO/1   | 21-Apr-16  | <a href="#">View document</a> |
| Portugal       | CRPD/C/PRT/CO/1   | 21-Apr-16  | <a href="#">View document</a> |
| Slovakia       | CRPD/C/SVK/CO/1   | 21-Apr-16  | <a href="#">View document</a> |
| Italy          | CRPD/C/ITA/CO/1   | 05-Sep-16  | <a href="#">View document</a> |
| Cyprus         | CRPD/C/CYP/CO/1   | 12-Apr-17  | <a href="#">View document</a> |
| Latvia         | CRPD/C/LVA/CO/1   | 10-Oct-17  | <a href="#">View document</a> |
| Luxembourg     | CRPD/C/LUX/CO/1   | 10-Oct-17  | <a href="#">View document</a> |
| Slovenia       | CRPD/C/SVN/CO/1   | 05-Mar-18  | <a href="#">View document</a> |
| Bulgaria       | CRPD/C/BGR/CO/1   | 24-Sep-18  | <a href="#">View document</a> |
| Malta          | CRPD/C/MLT/CO/1   | 24-Sep-18  | <a href="#">View document</a> |
| Poland         | CRPD/C/POL/CO/1   | 24-Sep-18  | <a href="#">View document</a> |
| Spain          | CRPD/C/ESP/CO/2-3 | 13-May-19  | <a href="#">View document</a> |
| Greece         | CRPD/C/GRC/CO/1   | 24-Sep-19  | <a href="#">View document</a> |
| Estonia        | CRPD/C/EST/CO/1   | 01-Apr-21  | <a href="#">View document</a> |
| France         | CRPD/C/FRA/CO/1   | 14-Sep-21  | <a href="#">View document</a> |
| Hungary        | CRPD/C/HUN/CO/2-3 | 25-Mar-22  | <a href="#">View document</a> |

Spain was the first Member State to receive UN recommendations in 2011, followed by Hungary in 2012 and Austria in 2013. Other Member States have passed through the first CRPD reporting cycle at rate of two or four per year during. Spain completed a second cycle of review in 2019. Estonia and France received their first Concluding Observations in 2021, and Hungary in 2022.

As reported in 2022, this leaves four Member States still pending conclusion of a full monitoring cycle. Finland and The Netherlands submitted their initial state reports in 2019 (due in 2018) and a List of Issues was raised with The Netherlands in 2022, with a view to dialogue in 2024. A List of Issues for Finland is anticipated in 2023, with potential for review in 2026. Ireland submitted its initial report in 2021 (due in 2020) but a timetable for dialogue is not expected before 2025. Romania's initial state report was submitted in 2022 (nine years overdue). State reporting for subsequent monitoring cycles is also overdue for some Member States. In this context, some of the UN recommendations and requests for information to Member States lag behind current priorities for the Semester co-ordination (e.g. those arising from the COVID-19 pandemic or the war in Ukraine). Nevertheless, most of the issues raised remain highly relevant as policy concerns for consideration in the Semester reviews. It is also relevant to consider the extensive representations made to the CRPD monitoring

process by civil society organisations in each country, which are also published on UN database.

Table 12 summarises the progress on CRPD monitoring, described above, with links to relevant sources. Where recommendations or issues have been raised by the CRPD Committee concerning employment, social protection, health, education, or transitions to independent living these were transposed into the relevant EDE Semester country fiches in 2021 and 2022 (as indicated in the sections that follow).

**Table 12: Summary of progress in the CRPD review cycle**

| MS | Concluding Observations | Most recent state response                   | Most recent UN Committee response            |
|----|-------------------------|--|--|
| AT | 2013                    | <a href="#">2019 State party report</a>      | <a href="#">2018 List of Issues</a>          |
| BE | 2014                    | <a href="#">2020 State party report</a>      | <a href="#">2019 List of Issues</a>          |
| BG | 2018                    | <a href="#">2018 Reply to List of Issues</a> | <a href="#">2018 Concluding Observations</a> |
| CY | 2017                    | <a href="#">2016 Reply to List of Issues</a> | <a href="#">2017 Concluding Observations</a> |
| CZ | 2015                    | <a href="#">2014 Reply to List of Issues</a> | <a href="#">2019 List of Issues</a>          |
| DE | 2015                    | <a href="#">2019 State party report</a>      | <a href="#">2018 List of Issues</a>          |
| DK | 2014                    | <a href="#">2020 State party report</a>      | <a href="#">2019 List of Issues</a>          |
| EE | 2021                    | <a href="#">2019 Reply to List of Issues</a> | <a href="#">2021 Concluding Observations</a> |
| EL | 2019                    | <a href="#">2019 Reply to List of Issues</a> | <a href="#">2019 Concluding Observations</a> |
| ES | 2019                    | <a href="#">2018 State party report</a>      | <a href="#">2019 Concluding Observations</a> |
| FI | Not yet scheduled       | <a href="#">2019 State party report</a>      | 2023 List of Issues (scheduled)              |
| FR | 2021                    | <a href="#">2020 Reply to List of Issues</a> | <a href="#">2021 Concluding Observations</a> |
| HR | 2015                    | <a href="#">2021 State party report</a>      | <a href="#">2020 List of Issues</a>          |
| HU | 2022                    | <a href="#">2018 State party report</a>      | <a href="#">2022 Concluding Observations</a> |
| IE | Not yet scheduled       | <a href="#">2021 State party report</a>      | List of Issues (not yet scheduled)           |
| IT | 2016                    | <a href="#">2016 Reply to List of Issues</a> | <a href="#">2016 Concluding Observations</a> |
| LT | 2016                    | <a href="#">2020 State party report</a>      | <a href="#">2016 Concluding Observations</a> |
| LU | 2017                    | <a href="#">2017 Reply to List of Issues</a> | <a href="#">2017 Concluding Observations</a> |
| LV | 2017                    | <a href="#">2021 State party report</a>      | <a href="#">2017 Concluding Observations</a> |
| MT | 2018                    | <a href="#">2018 Reply to List of Issues</a> | <a href="#">2018 Concluding Observations</a> |
| NL | Anticipated 2024        | <a href="#">2022 Reply to List of Issues</a> | <a href="#">2022 List of Issues</a>          |
| PL | 2018                    | <a href="#">2018 Reply to List of Issues</a> | <a href="#">2018 Concluding Observations</a> |
| PT | 2016                    | <a href="#">2015 Reply to List of Issues</a> | <a href="#">2016 Concluding Observations</a> |
| RO | Not yet scheduled       | <a href="#">2022 State party report</a>      | List of Issues (not yet scheduled)           |
| SE | 2014                    | <a href="#">2019 State party report</a>      | <a href="#">2018 List of Issues</a>          |
| SI | 2018                    | <a href="#">2017 Reply to List of Issues</a> | <a href="#">2018 Concluding Observations</a> |
| SK | 2016                    | <a href="#">2020 State party report</a>      | <a href="#">2019 List of Issues</a>          |

Source: data from United Nations Human Rights Treat Body Database (May 2023)

It is worth noting that a large proportion of individual complaint cases brought to the UN CRPD Committee also come from EU Member States (32 out of 67 up to 2022, and 29 out of 45 pending cases).<sup>92</sup> Committee inquiries concerning systematic rights violations were also conducted in Hungary and Spain. The Hungarian case included

<sup>92</sup> UN OHCHR, Table of pending cases before the Committee on the Rights of Persons with Disabilities (CRPD), <https://www.ohchr.org/Documents/HRBodies/CRPD/Tablependingcases.pdf>.

allegations of inappropriate allocation of EU funds to expand institutionalisation.<sup>93</sup> The Spanish case focused on exclusion from the mainstream education system.<sup>94</sup>

#### 4.1 Information recently requested from the EU and Member States

The kinds of information requested from States by the UN CRPD Committee under the Lists of Issues process are often very relevant to reporting policy gaps and plans in the Semester from a disability perspective (and correspond to issues of relevance in meeting the Sustainable Development Goals). The Commission may wish to pursue similar lines of enquiry in its own analyses or when encouraging the Member States to mainstream disability in Semester reporting (reminding the Member States that there is potential to reduce administrative burden if relevant disability information has been already assembled for the CRPD process). For this reason, it is helpful to review the type of information requests raised in areas of employment, social policies and education in recent years.

Of significance here are the List of Issues raised with the European Union in April 2022.<sup>95</sup> The Committee requested information across the range of recommendations made the EU in 2015, including the measures taken since then to advance equality and non-discrimination, accessibility and so on. Of particular interest to the Semester review are the requests for information relevant to employment, social protection and education, as well as those on independent living, health and data collection. These requests are summarised below, followed by the requests made to Member States in recent years, and provide an important reminder of the connections between EU level obligations and co-ordination of relevant national policies in Semester. For example, in relation to the EU:

##### *Article 27 – Work and employment*

The Committee requested information on the measures taken to address gender inequalities in employment and access to the labour market, and to collect disaggregated data on pay by impairment and gender (as suggested also in the SDGs). It also requests specific information on measures to:

- ‘Protect the rights of persons with disabilities in the proposal for a directive on adequate minimum wages in the European Union, including persons in sheltered workshops’;

<sup>93</sup> Committee on the Rights of Persons with Disabilities (2020) Inquiry concerning Hungary carried out by the Committee under article 6 of the Optional Protocol to the Convention, CRPD/C/HUN/IR/1, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fHUN%2fIR%2f1](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fHUN%2fIR%2f1).

<sup>94</sup> Committee on the Rights of Persons with Disabilities (2018) Inquiry concerning Spain carried out by the Committee under article 6 of the Optional Protocol to the Convention, CRPD/C/20/3, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2f20%2f3](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2f20%2f3).

<sup>95</sup> Committee on the Rights of Persons with Disabilities, *List of issues prior to submission of the second and third periodic reports of the European Union*, CRPD/C/EU/QPR/2-3, 2022, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEU%2fQPR%2f2-3&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEU%2fQPR%2f2-3&Lang=en).

- ‘Protect persons with disabilities from discrimination by the use of artificial intelligence in recruitment, selection, promotion and termination decisions in employment’; and
- ‘Comply with the recommendation of the European Ombudsman concerning the European Union sickness insurance scheme, and with her request to revise the criteria of the insurance scheme as well as concerning assistive devices, reasonable accommodation and staff training.’

#### *Article 28 – Adequate standard of living and social protection*

The Committee requested information on measures taken to ‘support persons with disabilities to escape poverty’, including through EU funding mechanisms and the establishment of a social protection floor. They also asked about measures supporting accessible housing and support for older persons with disabilities.

#### *Article 19 - Living independently and being included in the community*

There were quite extensive requests in this area of relevance to the ‘long-term care’ dimension of the Semester agenda. The Committee reiterated requests for assurance on measures to ensure that EU financing is not spent on institutionalising persons with disabilities in the Member States. Information was requested on the measures taken to withhold funding from such purposes and to support deinstitutionalisation programmes.

#### *Article 18 – Liberty of movement and nationality*

The relevant Issue of free movement was raised in a request for information on:

- ‘The impact of administrative requirements, such as disability assessments and qualifications for and transfer of social security benefits, on the ability of persons with disabilities to exercise their right to move and reside freely within the territory of European Union member States’.

### **4.1.1 Information about the labour market**

As shown earlier, the UN Committee made various requests to the EU in 2022 concerning its progress on CRPD implementation. In the area of labour market policies, these included requests for information about progress on a legislative framework for minimum wages, protection from artificial intelligence discrimination in recruitment, and EU staff entitlements.

Of relevance to the Semester is the adoption by Council of a Directive on adequate minimum wages in October 2022, in line with Principle 6 of the Social Pillar.<sup>96</sup> The Directive acknowledged the higher probability of low wages among persons with disabilities (and other groups), as well as the lack of protection or compliance sometimes afforded to them. It observed the CRPD right to equal remuneration for work of equal value, including for workers in sheltered employment, and asserted the application of this principle to minimum wages. It requires easy access to information about minimum wages, including web accessibility, and the disaggregation of data monitoring minimum wage protection by disability status, where available.

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<sup>96</sup> Directive (EU) 2022/2041 on adequate minimum wages in the European Union, <http://data.europa.eu/eli/dir/2022/2041/oj>.

The Commission’s 2021 Proposal for a Regulation laying down harmonised rules on artificial intelligence is also relevant.<sup>97</sup> The proposed text would prohibit the exploitation of vulnerable groups, including persons with disabilities, and require accessibility by design. The impact study supporting this Proposal made little reference to these issues, however.<sup>98</sup>

The type of labour market information requested from Member States by the UN Committee is very relevant to Semester reporting, including quantitative information about the disability employment situation, programme participation and outcomes, and qualitative information about the measures taken. There have been both general and specific questions and the wording of these might provide useful prompts for Commission staff when seeking to improve reporting on disability and the labour market in the Semester reports. Table 13 shows the questions raised with Member States as reporting issues in the period 2017-2022.<sup>99</sup>

To summarise, the following key points are relevant also to reporting expectations in the Semester.

- include disability and labour market participation statistics as a reporting minimum;
- disaggregate disability data on minimum wage protection, where available;
- seek evidence of disability employment gaps, including gender gaps;
- focus on active support for employment in the open labour market;
- highlight persistent market segmentation failures (such as sheltered employment);
- report measures to remove barriers to accessibility and adjustment in the workplace; and
- make direct references to national disability action plans and CRPD.

**Table 13: Examples of employment information requested in the CRPD review process**

| MS | Source              | Information requested on Employment (Article 27 CRPD and SDG Goal 8.5)  |
|----|---------------------|---|
| AT | 2018 List of Issues | 42. Please provide information on measures taken to enhance programmes for the employment of persons with disabilities in the open labour market and to narrow the employment and gender pay gaps. Please provide specific information on measures taken to promote the transition of persons with disabilities from sheltered employment to the open labour market. Furthermore, please provide information on measures taken to ensure that social insurance contributions are made for such persons. |
| BE | 2019 List of Issues | 25. Please provide information on measures taken to: (a) Enhance programmes to increase the employment rate of persons with disabilities, particularly women with disabilities, in both the private and the public sectors; (b) Facilitate the transition of persons with disabilities from unemployment or from employment in sheltered workshops to employment in the open labour market; (c) Tackle barriers and discrimination against persons with disabilities in the recruitment                 |

<sup>97</sup> European Commission, Proposal for a Regulation Laying Down Harmonised Rules on Artificial Intelligence (Artificial Intelligence Act) and Amending Certain Union Legislative Acts, COM(2021) 206 final, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52021PC0206>.

<sup>98</sup> European Commission, *Impact Assessment of the Regulation on Artificial intelligence*, 2021, <https://digital-strategy.ec.europa.eu/en/library/impact-assessment-regulation-artificial-intelligence>.

<sup>99</sup> No further information was requested from Member States since the previous update in May 2022.

| MS        | Source              | Information requested on Employment (Article 27 CRPD and SDG Goal 8.5)  |
|-----------|---------------------|---|
|           |                     | process and the workplace, including instances involving a lack of reasonable accommodation;  |
| <b>CZ</b> | 2019 List of Issues | 22. Please provide information on: (a) Employment rates among persons with disabilities, disaggregated by age, sex and impairment type, in both the open labour market and sheltered employment; (b) Measures taken to promote the employment of persons with disabilities in the open labour market, particularly through the prohibition of discrimination on multiple or intersectional grounds, in accordance with Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation; (c) The availability of supported employment programmes and vocational and professional rehabilitation programmes, as outlined as an objective in the National Plan for the Promotion of Equal Opportunities for Persons with Disabilities 2015–2020, especially with reference to the availability of work in rural and urban areas; (d) Whether some persons with disabilities (those considered as having the third degree of disability) can still only register as ‘interested for work’ and not as ‘job seeking’, and on the reasons for such a distinction.   |
| <b>DE</b> | 2018 List of Issues | 28. Please provide information on: (a) The policies and achievements since the previous concluding observations aimed at increasing the employment rate of persons with disabilities in the open labour market in the public and private sectors, including specific measures and vocational training; (b) The appointees responsible for the monitoring and evaluation of the system regarding the right to work and employment; (c) The number of workers with disabilities currently recruited and employed on a permanent basis by private sector companies since the application of the Federal Participation Act in 2017; (d) The accessibility of workplaces, including statistical information and information on the legal measures and complaint mechanisms with safeguards, and effective sanctions for non-compliance with binding laws and policies, such as quotas; (e) The transition from unemployment or employment in sheltered workshops to open employment for persons with disabilities, the incentives available for employers, and statistics on the percentage of workers with disabilities that make the transition to the general labour market; (f) The meaningful involvement, consultation and representation of organisations of persons with disabilities in labour-related matters. |
| <b>DK</b> | 2019 List of Issues | 25. Please provide: (a) Information on measures taken to significantly increase the percentage of persons with disabilities working in the open labour market in Greenland and to close the employment gap for persons with disabilities; (b) Information on measures to combat prejudices preventing persons with disabilities from accessing the labour market; (c) Statistics and data for the reporting period under review, comparable on an annual basis, on the status of persons, with or without disabilities, with regard to unemployment, underemployment and multiple employment, and on persons not currently involved in any form of education, employment or training, disaggregated by sex, age, ethnicity, urban or rural residence and family status.   |
| <b>HR</b> | 2020 List of Issues | 25. Please provide information on the efforts made to eliminate stigma, barriers and discrimination in the recruitment process and the steps undertaken to increase the employment of persons with disabilities in the open labour market in both the public and private sectors. Please also elaborate on: (a) The status of development of an action plan for the employment of persons with disabilities; (b) Results achieved through the implementation of the new Vocational Rehabilitation and Employment of Disabled Persons Act (2015), including data; (c) The sanctions taken for non-compliance of mandatory quotas and for the denial of reasonable accommodation.   |
| <b>HU</b> | 2017 List of Issues | 31. Please inform the Committee about measures taken to effectively implement the disability-specific provisions of the Labour Code and the principle of equal remuneration for work of equal value, and to develop programmes to increase  |

| MS | Source              | Information requested on Employment (Article 27 CRPD and SDG Goal 8.5)  |
|----|---------------------|---|
|    |                     | employment opportunities for women and men with disabilities in the public and private sectors and their inclusion in the open labour market.   |
| LT | 2023 List of Issues | 23. Please provide information on measures taken: (a) To develop more programmes aimed at increasing the employment rate of persons with disabilities, especially women with disabilities, in both the private and public sectors; (b) To facilitate the transition of persons with disabilities from unemployment or work in sheltered workshops to employment in the open labour market; (c) To counter barriers and discrimination faced by persons with disabilities in the recruitment process and the workplace, including cases involving a lack of reasonable accommodation; (d) To develop skills related to employment among youth and young adults with disabilities; (e) To adopt plans of action to restore jobs and employment opportunities to persons with disabilities following the COVID-19 pandemic.  |
| NL | 2022 List of Issues | 25. Please provide information on: (a) Employment rates among persons with disabilities, disaggregated by age, sex and impairment type, in both the open labour market and sheltered employment, as well as on unemployed persons with disabilities; (b) Measures taken to promote inclusive employment of persons with disabilities in the open labour market, including the quota system that was initiated in 2018, and on measures taken to ensure that reasonable accommodation is provided to persons with disabilities in the workplace and in the open labour market; (c) The definition of 'people with occupational disabilities' as mentioned in paragraph 291 of the State party report; (d) Measures taken to reduce the unemployment rate of persons with disabilities and to narrow the gender pay gap faced by women with disabilities.   |
| SE | 2018 List of Issues | 20. Please provide information about: (a) Progress made in promoting employment opportunities for persons with disabilities, including psychosocial disabilities, in the public and private sector, including as a result of the measures taken in the Budget Bill 2016 aimed at assisting persons with disabilities in obtaining work; (b) The rate of employment of persons with disabilities compared with that of persons without disabilities, disaggregated by occupation; (c) Targeted measures to reduce the vulnerability of persons with disabilities to unemployment, including temporary special measures and the strengthening of financial incentives for employers, such as tax incentives; (d) Measures taken to reduce the unemployment rate of and gender pay gap faced by women with disabilities; (e) Steps taken to support persons with disabilities in exercising their right to freely choose or accept employment in work environments that are open, inclusive and accessible to them, particularly the right to freely chosen work in the labour market; (f) Measures taken to review the use in the labour market of the term 'persons with reduced capacities or limitations'. |
| SK | 2019 List of Issues | 26. Please provide information on the measures taken to increase the employment rate of persons with disabilities, particularly women with disabilities, in the open labour market, and on the national targets for creating employment opportunities for persons with disabilities. Please also provide information on measures taken to: (a) Ensure the transition of persons with disabilities, including those in the process of moving from institutions into the community, from unemployment or employment in sheltered workshops to employment in the open labour market; (b) Eliminate barriers and discrimination against persons with disabilities in the recruitment process and the workplace, including instances involving the denial of individualized measures.  |

#### 4.1.2 Information about social policies and healthcare

Following a similar pattern, from the available examples of issues raised by the UN CRPD Committee, there are a number of examples relevant to Semester reporting concerning social policies. The most relevant examples are those raised under Articles 28, 25 and 19 CRPD, relating to social protection, health and independent living, respectively. As with the examples of labour market information, these may be helpful for Commission staff in suggesting lines of analysis or clarification concerning Member States' reporting in the Semester process too, from a disability perspective.

Of relevance at the EU level are requests for information in the UN Committee's 2022 List of Issues for the EU. As mentioned earlier, information was requested from the EU on poverty reduction measures, accessible housing, the appropriate use of EU funds to support deinstitutionalisation and the transferability of disability assessments and entitlements. Many of these social policy issues are predominantly within the competence of the Member States but are highly relevant EU policy co-ordination processes allied to the Semester, and including the Social Pillar.

For example, Principle 17 of the Pillar aligns with key EU obligations under Article 28 CRPD by stating 'People with disabilities have the right to income support that ensures living in dignity, [and] services that enable them to participate in the labour market and in society...'.<sup>100</sup> A 2022 report by the Commission's European Social Policy Network (ESPN) also provided an overview of national developments and key principles for effective access to social protection for persons with disabilities, including the intersections of disability-specific and generic schemes of support.<sup>101</sup>

There have been policy developments of relevance in this area. The Commission's 2022 Proposal for Council Recommendation on minimum income calls on Member States to modernise minimum income measures for inclusion. This included recommendations to improve the adequacy and coverage of income support and access to services, with attention to social safety nets.<sup>102</sup> This referred to disability benefits within the mix of income support and to the EU disability Strategy. This builds also on the 2019 Council Recommendation on access to social protection for workers and the self-employed, which covered 'invalidity' schemes among others.<sup>103</sup>

In addition, the anticipated Commission Proposal for an EU 'Disability Card' by the end of 2023 is a flagship initiative of the disability Strategy. While this is not expected to address the transferability of disability assessments for social protection benefits

<sup>100</sup> European Commission, Employment, Social Affairs & Inclusion, *The European Pillar of Social Rights in 20 principles: Principle 17. Inclusion of people with disabilities*, <https://ec.europa.eu/social/main.jsp?catId=1606&langId=en#:~:text=17>.

<sup>101</sup> European Commission, Directorate-General for Employment, Social Affairs and Inclusion, Baptista, I., Marlier, E., *Social protection for people with disabilities – An analysis of policies in 35 countries*, 2023, <https://data.europa.eu/doi/10.2767/323350>.

<sup>102</sup> European Commission, *Proposal for a Council Recommendation on adequate minimum income ensuring active inclusion*, COM(2022) 490 final, <https://ec.europa.eu/social/BlobServlet?docId=26076&langId=en>.

<sup>103</sup> Council Recommendation of 8 November 2019 on access to social protection for workers and the self-employed 2019/C 387/01, [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C\\_.2019.387.01.0001.01.ENG](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2019.387.01.0001.01.ENG).

directly, it has high relevance to the consideration of the barriers to free movement identified.<sup>104</sup>

To summarise, the type of information requested by the UN Committee on standard of living and social protection highlights the need also in the Semester to:

- include disability poverty and social protection statistics as a reporting minimum;
- seek evidence of disability poverty gaps, including gender gaps and child poverty;
- distinguish outcomes for people with severe levels of impairment and different age groups;
- consider both income maintenance and additional disability costs compensation;
- highlight failures in social protection schemes (including disability assessment processes); and
- make links between national poverty reduction strategies and disability action plans.

**Table 14: Examples of social protection information requested in the CRPD review process**

| MS | Source              | Information requested on standard of living and social protection (Article 28 CRPD)   |
|----|---------------------|---|
| BE | 2019 List of Issues | 26. Please describe measures taken to: (a) Mainstream disability in poverty and homelessness reduction strategies. Please focus in particular on the situation of women, children and older persons with disabilities; (b) Ensure that social protection and support services are provided to persons with disabilities, taking into account additional costs related to disability; (c) Eliminate the current backlog of applications for social protection measures to the Directorate-General for Persons with Disabilities of the Federal Public Service for Social Security.   |
| CZ | 2019 List of Issues | 23. Please provide information on measures taken to: (a) Revise benefit and pension legislation and policy concerning persons with disabilities and their families, in particular to bring the concept of disability and the assessment criteria used to calculate social protection entitlements, such as the disability pension, into line with the Convention; (b) Reintroduce the additional social allowance to bring the standard of living of families with children with disabilities above subsistence level.  |
| DE | 2018 List of Issues | 29. Please provide information on: (a) The social protection measures for persons with disabilities, especially families of children or parents with disabilities, to eliminate the additional costs related to disability; (b) The measures to mainstream women, youth and children with disabilities from families at risk of poverty or living in poverty in national poverty-reduction strategies; (c) The effect on claims for integration assistance benefit from persons with disabilities following the adoption of the Federal Participation Act; (d) Equal and comparable social and support services for persons with disabilities regardless of age, especially for adults with disabilities over the age of 65; (e) The measures to address insufficient accessible and affordable housing, especially in densely populated urban areas. |
| DK | 2019 List of Issues | 26. Please provide information on: (a) The early retirement reform under Act No. 574 of 2014 amending the Act on Social Pensions and any impact assessments carried out on persons with disabilities under the age of 40 for accessing early retirement pension; (b) Measures adopted to grant non-contributory pensions to persons with disabilities, including those who require more   |

<sup>104</sup> Priestley, M., *Disability assessment, mutual recognition and the EU Disability Card – Progress and opportunities*, 2022, [https://www.europarl.europa.eu/RegData/etudes/STUD/2022/739397/IPOL\\_STU\(2022\)739397\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2022/739397/IPOL_STU(2022)739397_EN.pdf).

| MS | Source              | Information requested on standard of living and social protection (Article 28 CRPD)  |
|----|---------------------|--|
|    |                     | intensive support; (c) Assessments of the impact that the ceiling on entitlements provided under the social security system has had on the living conditions of persons with disabilities, including information on disproportionate impact in relation to type of impairment, gender and age; (d) Persons with disabilities who have been awarded early retirement pensions since the entry into force of the early retirement pension regime; on the household income levels of persons with disabilities, compared with those of the general population since 2014; and on persons with disabilities receiving compensation under the Danish unemployment insurance scheme, in the form of disaggregated data.  |
| HR | 2020 List of Issues | <p>26. Please inform the Committee about the efforts made to develop a disability assessment that fully incorporates a human rights model of disability and whether the design of the disability assessment method has been undertaken in a systematic, consistent and transparent manner through the participation of organizations of persons with disabilities.</p> <p>27. Please elaborate on the measures to combat poverty among persons with disabilities, in particular among persons with disabilities of Roma origin and in rural and remote areas.</p> <p>28. Please provide information on: (a) The measures taken to implement the provisions of the Social Benefit Act in order to ensure its full enjoyment by persons with disabilities, irrespective of the cause of their impairment, in all counties and municipalities; (b) The provisions of the social protection schemes to ensure that all persons with disabilities are provided with support for equipment, such as hearing aids, mobility aids and assistive technologies; (c) The steps taken by the State party to increase pension, social welfare and other benefits for both civilian and veteran persons with disabilities throughout the country, including for parents of children with disabilities.</p> |
| HU | 2017 List of Issues | 32. According to information before the Committee, the disability pension system was replaced in 2012 by a disability benefit scheme. Please provide detailed information on the disability benefit scheme. Please specify any steps taken towards bringing assessment of disability and the necessary benefits fully into line with the Convention. Please also provide information on any earmarked compensation schemes with regard to disability-related extra expenses incurred by persons with disabilities and their families.  |
| LT | 2023 List of Issues | 24. With reference to information indicating that persons with disabilities are disproportionately affected by poverty, please describe measures taken: (a) To eliminate situations of poverty affecting persons with disabilities and to mainstream disability in strategies to reduce poverty and homelessness, including the ways in which the situation of women and girls with disabilities and of children and older persons with disabilities is addressed in such strategies; (b) To ensure that social protection and support services are provided to persons with disabilities, taking into account the additional costs related to disability.   |
| NL | 2022 List of Issues | 26. Please provide information on measures taken to: (a) Include disability in the collection and publication of data concerning poverty and social protection, disaggregated by sex, age, level of education, ethnicity and national origin, type of impairment and type of residence; (b) Tackle the income inequality faced by persons with disabilities; (c) Address homelessness among persons with psychosocial disabilities.  |
| SE | 2018 List of Issues | 21. Please provide information about: (a) The extent to which the 'guaranty benefit' adequately covers the living costs of persons with disabilities, including for food, accommodation, transport, rehabilitation and medical care, and any existing differences among municipalities; (b) How recent reforms in the national insurance system have improved the living conditions of persons with disabilities; (c) Measures taken to reduce poverty among persons with disabilities.  |
| SK | 2019 List of Issues | 27. Please inform on the measures taken to: (a) Mainstream disability inclusion in strategies to address poverty, with a particular focus on the policies addressing the situation of women, children and older persons with disabilities; (b) Develop public housing programmes that are accessible to and affordable for persons with disabilities, on an equal basis with others; (c) Ensure that all social protection   |

| MS | Source | Information requested on standard of living and social protection (Article 28 CRPD)  |
|----|--------|--|
|    |        | schemes and support services are provided to persons with disabilities without discrimination related to age, gender or socioeconomic status, and ensure the coverage of disability-related extra costs and disability-related schemes after the age of 65 years; (d) Collect statistical data on poverty, disaggregated by disability, age, gender, place of residence and geographical location, and provide the Committee with the available figures. |

The types of information requested by the UN CRPD Committee on health and rehabilitation include questions about policy measures and access to, and affordability of, health care systems for persons with disabilities. These are very relevant to Semester reporting on these issues. There have been questions about staff training and about the accessibility of health information. Nevertheless, the CRPD Committee has requested rather less information about evidence of unmet health needs than might be available in the Semester, from national or EU data sources. The available examples predate the COVID-19 crisis and the issues raised are amplified by its differential impact on persons with disabilities.

In summary, Member States should be able to:

- include disability health access statistics as a reporting minimum (e.g. using unmet needs);
- provide evidence of the differential impact of health crises on persons with disabilities (e.g. in institutions);
- report measures taken to increase accessibility and preparedness in health care settings;
- assess whether persons with disabilities face additional health care cost barriers;
- highlight failures in health services (e.g. involuntary treatment or institutional detention); and
- make links between national health strategies and national disability action plans.

**Table 15: Examples of health care information requested in the CRPD review process**

| MS | Source              | Information requested on health (Article 25 CRPD)  |
|----|---------------------|--|
| BE | 2019 List of Issues | 23. Please provide information on measures taken to: (a) Ensure that health-care facilities and services, including specialist services, are accessible and affordable to all persons with disabilities; (b) Train health professionals and support personnel on the human rights model of disability and on measures taken to end discriminatory and negative attitudes towards and the stereotyping of persons with disabilities, particularly persons with psychosocial or intellectual disabilities.   |
| CZ | 2019 List of Issues | 21. Please provide information on measures taken to: (a) Train and raise awareness among health-care professionals on the rights of persons with disabilities; (b) Ensure that information and communications regarding health-care services are available in accessible formats to all persons with disabilities, including persons with intellectual disabilities and persons who are blind or deaf, in both urban and rural communities; (c) Provide access to full health-care and rehabilitative services, including sexual and reproductive health services, for persons with disabilities in their communities. |
| DE | 2018 List of Issues | 25. Please explain the initiatives taken to ensure affordable, full and equal access to health-care facilities and services for persons with disabilities, including within the local community, in the light of existing stipulations in the Social Code, particularly section 63b, paragraph 4, of Book XII.   |

| MS | Source              | Information requested on health (Article 25 CRPD)  |
|----|---------------------|--|
|    |                     | 26. Please clarify: (a) Whether health information and education is available in all accessible formats; (b) The measures to train health professionals and support personnel on the human rights-based approach to disability, and to avoid discriminatory and negative attitudes and stereotyping against persons with disabilities, particularly persons with psychosocial or intellectual disabilities; (c) The safeguards that exist to ensure that medical procedures performed on persons with disabilities are carried out with their free and informed consent, particularly on women and girls with disabilities, including effective monitoring and appeal mechanisms for infringements; (d) The terms on which persons with disabilities can be denied access to private health insurance in, for example, section 19 of the General Anti-Discrimination Act (CRPD/C/DEU/1, para. 213) and to what extent expenses related to a disability or an impairment are covered through the statutory health insurance system. Please describe any differences at the national and Land levels.        |
| DK | 2019 List of Issues | 23. Please provide information on: (a) Measures to improve access to health facilities and services used by persons with disabilities, including sexual and reproductive health-care services and cervical cancer screening for women with disabilities, women with cerebral palsy and women with intellectual disabilities; (b) Measures to reduce the high mortality rates among persons with psychosocial disabilities, including through early detection and health checks; (c) Measures to ensure coverage of hearing aid treatment by the health-care system; (d) Measures taken to meet the transport requirements of persons with disabilities in accessing health-care facilities and to provide emergency facilities for persons with psychosocial disabilities in the Faroe Islands.  |
| HR | 2020 List of Issues | 24. Please provide information on: (a) The efforts undertaken to provide for persons with disabilities to have access to health insurance and services on an equal basis with others, including public and private health services and equipment that are affordable, accessible and of good quality; (b) The measures taken for training health professionals and support personnel to raise awareness of the human rights model of disability; (c) Whether mental and psychosocial health services, including sexual and reproductive health services, are accessible for women and girls with disabilities in both urban and rural areas.   |
| HU | 2017 List of Issues | 29. Please inform the Committee about the steps taken towards providing accessible, gender-sensitive, mainstream and quality public health-care services, including accessibility to public health-care facilities and the equipment used therein throughout the entire State party and on an equal basis with others. In view of the concern expressed by the Committee on the Elimination of Discrimination against Women in its previous concluding observations, namely, that women with disabilities are excluded from gynaecological and breast-screening tests and about the limited access to and inadequate quality of sexual and reproductive health services for women with disabilities (see CEDAW/C/HUN/CO/7-8, para. 32), please indicate whether any steps have been made to ensure the access by women with disabilities to quality sexual and reproductive health services, and all screening tests on an equal basis with others. 30. Please inform the Committee about any mandatory and systematic training of health-care professionals on human rights of persons with disabilities. |
| LT | 2023 List of Issues | 21 Please provide information on: (a) Measures taken to ensure that health-care facilities and services, including specialist services, are accessible and affordable to all persons with disabilities; (b) Measures for ensuring access to sexual and reproductive health care and rights by women and girls with disabilities, including accessible equipment at the municipal level and information on sexual and reproductive health in accessible formats; (c) Measures taken to train health-care professionals and support personnel, including persons with disabilities, on the human rights model of disability in order to end discriminatory and negative attitudes in health-care settings towards persons with disabilities, which especially affect persons with intellectual disabilities and persons with psychosocial disabilities.  |

| MS | Source              | Information requested on health (Article 25 CRPD)   |
|----|---------------------|---|
| NL | 2022 List of Issues | 24. Please provide information on measures taken to: (a) Ensure access for all persons with disabilities to health care, including gynaecological, dental and other health-care services, facilities, amenities and equipment, including through the provision of specific accessible amenities and equipment for women and girls with disabilities; (b) Reduce the waiting time necessary to access health-care services, in particular for persons with psychosocial disabilities; (c) Facilitate training and the promulgation of an ethical standard for health-care professionals, with a view to providing health-care services for persons with disabilities that are of the same quality as those provided to others, including through raising awareness of the human rights, dignity, autonomy and requirements of all persons with disabilities. |
| SE | 2018 List of Issues | 18. Please provide information about: (a) The availability of psychiatric services, including outpatient treatment, and of specialized psychiatric personnel throughout the territory of the State party, disaggregated by municipality; (b) Measures taken to promote access to health-care services for women and girls with disabilities, including sexual and reproductive health services, and information on HIV/AIDS, on an equal basis with others.   |
| SK | 2019 List of Issues | 24. Please provide information on measures taken to: (a) Ensure that health-care facilities, services and equipment, including specialist services, are accessible and affordable to all persons with disabilities, in particular persons requiring high levels of support; (b) Train health professionals and support personnel on the human rights model of disability, and prevent discriminatory and negative attitudes and stereotypes against persons with disabilities, particularly with regard to persons with intellectual or psychosocial disabilities; (c) Ensure equal access to sexual and reproductive health information and services for women and girls with disabilities.  |

Progress on deinstitutionalisation and support for independent living is a third key area of CRPD reporting relevant to reporting on social inclusion policies in the Semester. In this respect, the UN CRPD Committee has provided extensive interpretation and elaboration of expectations in its General Comment.<sup>105</sup> Observations on deinstitutionalisation from the Commission, including strong links to structural fund regulation, have been very helpful in reinforcing these obligations arising from the CRPD. In addition, the types of information requested by the UN Committee on this theme provide some useful pointers for Commission staff in seeking clarification from Member States through their Semester or structural funds monitoring processes. For example, there is a distinct lack of robust comparative data about the numbers of persons with disabilities supported in institutions or in the community (although some structured reporting of national administrative data on long term care does exist).<sup>106</sup>

In summary, Member States should be able to:

- describe the concrete steps taken to progress deinstitutionalisation;
- provide evidence of the situation of people living in institutions as well as those living in the community;
- account for the use of EU funds in relation to transition from institutional to community living;

<sup>105</sup> Committee on the Rights of Persons with Disabilities (2017) *General comment No. 5 (2017) on living independently and being included in the community*, CRPD/C/GC/5, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/5](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/5).

<sup>106</sup> OECD statistics on Long-Term Care Resources and Utilisation, [https://stats.oecd.org/Index.aspx?DataSetCode=HEALTH\\_LTCR](https://stats.oecd.org/Index.aspx?DataSetCode=HEALTH_LTCR).

- assess the effectiveness of support for independent living, including personal assistance schemes;
- highlight failures or bottlenecks in the process of deinstitutionalisation; and
- make links between national long-term care strategies and national disability action plans.

**Table 16: Examples of independent living information requested in the CRPD review process**

| MS | Source              | Information requested on independent living (Article 19 CRPD)  |
|----|---------------------|--|
| AT | 2018 List of Issues | 37. Please provide information on measures taken, including the provision of adequate funding, to enable the diversity of persons with disabilities to enjoy their right to freely choose their residence on an equal basis with others and to access a full range of in-home and other community services for daily life, including personal assistance.  |
| BE | 2019 List of Issues | 18. Please provide information on: (a) Steps taken to implement disability action plans at the federal, regional and community levels to ensure that persons with disabilities enjoy the right to independent living and to be included in the community, and to implement plans to eliminate waiting lists for access to personal assistance budgets and other services and support; (b) Steps taken to implement an effective deinstitutionalization strategy, with a clear time frame, for all persons living in institutions. Please include the number of persons with disabilities who have been deinstitutionalized so far, and provide details of their current situation; (c) Measures taken to enable all persons with disabilities to enjoy their right to freely choose their residence on an equal basis with others, and to access a full range of in-home and other community services for day-to-day living, including personal assistance; (d) The use of European Structural and Investment Funds and national funds for personal assistance and independent living. Please include precise data, in absolute and relative numbers, on the funds provided.   |
| CZ | 2019 List of Issues | 16. Please provide information on: (a) Steps taken to achieve deinstitutionalization, including details on the time frame within which the full deinstitutionalization of all persons with disabilities (particularly children under 3 years of age, persons with intellectual or psychosocial disabilities and older persons with disabilities) will be achieved; (b) The use of financial resources, including European Structural and Investment Funds, and on the transition plans to enable persons with disabilities to freely choose their living arrangements in the community. Please provide an update on the completion of actions to support independent living, as set out under objectives 6.1 to 6.15 of the National Plan for the Promotion of Equal Opportunities for Persons with Disabilities 2015–2020; (c) The availability and accessibility of community-based services for persons with disabilities, including housing services, an open labour market, social services and human rights-based mental health care. Please indicate whether coverage of these services is sufficient and detail measures to ensure their sustainability.   |
| DE | 2018 List of Issues | 18. Please provide information, at the national and Land levels, on the legal, policy and other measures – and, when appropriate, their specific time frames for implementation – that have been adopted to: (a) Ensure sufficient, sustainable and long-term funding and support, including a sufficient number of accessible and affordable housing options, for individualized independent living within the community at national, Land and municipal levels; (b) Expedite deinstitutionalization, particularly for persons with intellectual disabilities; (c) Ensure equal access to long-term care insurance benefits for persons with disabilities currently living in communal housing provided by the integration assistance services and describe the measures taken to guarantee their free choices to live independently and be included in the community; (d) Provide personal assistance services based on an assessment of the characteristics, circumstances and requirements of persons with disabilities and whether the type of impairment, or a person's income or that of his or her family can affect this assessment. Please specify any differences in such provisions at national and Land levels. |

| MS | Source              | Information requested on independent living (Article 19 CRPD)   |
|----|---------------------|---|
|    |                     | <p>19. Please provide information on the initiatives planned to ensure full freedom of movement and inclusion in the community of persons with disabilities, in line with the judgment of the European Court of Justice in the case C-679/16.</p> <p>20. Please provide data, at the Land and municipal levels, on the number of persons with disabilities below the age of 60 living in residential and nursing homes for the elderly, disaggregated by age, impairment and sex.</p>   |
| DK | 2019 List of Issues | <p>18. Please provide information on measures taken to: (a) Recognize the individual right of persons with disabilities to live independently and to be included in the community, and to ensure that they can freely make choices regarding their living arrangements, including in living areas and facilities that are currently under the control of public authorities and not open to the public; (b) Prevent the development of institutionalized living environments, including measures to end the building of and investment in large-scale closed institution-like residences (CRPD/C/DNK/CO/1, para. 43); (c) Repeal sections in the Consolidation Act on Social Services of 2015, as amended in 2017, that permit the forced relocation of persons with disabilities to assisted living facilities, thus denying them the opportunity to choose their place of residence; (d) Provide persons with disabilities with individualized support for independent living based on individual assessments at the municipal level, with disaggregated data about access to personal assistance and in-kind or in-cash forms of support, including personal budgets; (e) Adopt strategies and allocate resources to ensure accessible housing for persons with disabilities in all housing sectors in the Faroe Islands.</p>  |
| HR | 2020 List of Issues | <p>19. In reference to the Committee's previous concluding observations (CRPD/C/HRV/CO/1, para. 30), please inform the Committee about: (a) The personal assistance and community-based services available to persons with disabilities who require them; (b) The progress made with respect to the operational plan for deinstitutionalization, particularly in the case of persons with intellectual or psychosocial disabilities in 24-hour living spaces, in psychiatric hospitals, those living in family homes for more than 20 persons and those living in adult foster families.</p> <p>20. Please provide information on whether the use of the European Union structural and investment funds is directed to deinstitutionalization and ensuring independent living in the community for persons with disabilities. Please inform the Committee about: (a) The provisions made to ensure their active participation in decision-making, including for the exercise of their choice regarding with whom, how and where to live; (b) The steps taken to amend the Social Welfare Act to prohibit a guardian from having the authority to place a person in any institution or in any other living arrangement without that person's consent; (c) The allocation of personnel, technical and financial means for support services enabling independent life and community inclusion at the national and local level.</p> |
| HU | 2017 List of Issues | <p>24. Please provide updated information on the status of the deinstitutionalization process. Please inform the Committee about effective measures taken to ensure that an adequate level of funding is made available to effectively enable persons with all types of disabilities to: (a) enjoy the freedom to choose their residence on an equal basis with others; (b) have access to a full range of in-home and other community services for daily life, including personal assistance, instead of congregate care; and (c) are provided with the necessary reasonable accommodation, with a view to supporting their inclusion in their local communities.</p> <p>25. Please inform the Committee about the use of the European Union structural funds and national funds, including reallocation of those structural funds provided to residential institutions, including 'small home communities', and financial resources provided to personal assistance and other support services in local communities, including support for the de-institutionalization of boys and girls with disabilities.</p>   |
| LT | 2023 List of Issues | <p>16. Please provide information on: (a) Steps taken to implement action plans for persons with disabilities at the national, county and municipal levels and to ensure that persons with disabilities enjoy their right to live independently and to be included in the community; (b) Measures taken to allow all persons with disabilities</p>  |

| MS | Source              | Information requested on independent living (Article 19 CRPD)   |
|----|---------------------|---|
|    |                     | to enjoy the right to freely choose their residence on an equal basis with others and to access a wide range of support services at home and in the community for day-to-day life, such as personal assistance, including for persons with disabilities requiring higher levels of support; (c) The number of children with disabilities not living with their families, including those living in institutions, and the financial and other resources invested to ensure their deinstitutionalization and transition to life in the community; (d) Steps taken to implement an effective deinstitutionalization strategy, with a clear time frame, for the approximately 6,000 persons with disabilities still living in residential institutions, following the criteria set out in the Committee's general comment No. 5 (2017) on living independently and being included in the community and its guidelines on deinstitutionalization, including in emergencies. Please include the number of persons with disabilities who have been part of deinstitutionalization programmes and provide details about their current situation, support for their transition from institutions to life in the community and the involvement of organizations of persons with disabilities in such programmes; (e) The use of European structural and investment funds and national funds for personal assistance and independent living in the community and on measures to redirect funds from large and small congregated settings, including group or family-like homes, to support for living in the community. Please include accurate data, in absolute and relative terms, on the funds provided. |
| NL | 2022 List of Issues | 17. Please provide information on: (a) Steps taken to develop a deinstitutionalization policy, including details on the time frame within which the full deinstitutionalization of all persons with disabilities, in particular children with disabilities, persons with intellectual disabilities and persons with psychosocial disabilities, will be achieved, and measures to facilitate their full inclusion and participation in the community; (b) The availability of housing and the extent to which it ensures the right of persons with disabilities to freely choose their living arrangements in the community and their right to choose where and with whom to live, including for persons placed under substitute decision-making regimes; (c) Measures taken to ensure that personal assistance programmes provide persons with disabilities, including persons who are still under substitute decision-making regimes, with sufficient financial assistance to allow them to live independently in the community, and to ensure that the differences in criteria applied by municipal authorities are reduced to a minimum; (d) The number of persons with disabilities, including children with disabilities, who are still living in residential institutions.  |
| SE | 2018 List of Issues | 13. Please provide information about: (a) Measures taken to ensure that personal assistance programmes provide persons with disabilities with sufficient financial assistance to allow them to live independently in the community, and the criteria to be eligible for personal assistance; (b) Measures taken to provide persons with disabilities with the opportunity to choose their place of residence, and where and with whom they want to live, on an equal basis with non-disabled persons; (c) Measures taken to ensure that decisions granting individual support are implemented promptly by the municipalities; (d) The number and percentage of persons with disabilities who have received personal assistance benefits since 2014, disaggregated by year, sex, age, type of impairment and municipality of residence.  |
| SK | 2019 List of Issues | 19. With reference to the Committee's previous concluding observations (paras. 56 and 58), please provide information on: (a) Progress made in the deinstitutionalization process of persons with disabilities, as evidenced by data disaggregated by age, sex and ethnicity, as well as on persons who have been deinstitutionalized and on the number of persons who have regained their legal capacity as a result of the deinstitutionalization process; (b) Individualized supports, such as personal assistance, available to persons with disabilities, including those deinstitutionalized in the last five years, who live in the community, and on the personnel and the technical and financial means allocated to such support services at the national and local levels; (c) Measures taken to prevent the reinstitutionalisation of persons with disabilities, including older persons with disabilities in small congregated settings, such as group homes; (d) Measures taken to redirect budget allocations for institutions, including those allocations from   |

| MS | Source | Information requested on independent living (Article 19 CRPD)  |
|----|--------|--|
|    |        | the European Structural and Investment Funds, towards initiatives that provide support for inclusion in the community, and to ensure accessibility of mainstream community services at the municipal level. Please provide information about any national targets to increase accessibility of community services and on the indicators of progress. |

### 4.1.3 Information about education and training

As in the case of independent living, outlined earlier, the UN Committee has provided extensive interpretation of state obligations in its General Comment on the right to inclusive education.<sup>107</sup> Both this interpretation and the types of information requested from states by the Committee focus mainly on children in the school system and less on the aspects of skills and training prioritised in the Semester reporting. Nevertheless, the questions they raise can be usefully applied to all stages of learning.

To summarise, the following key points are relevant also to reporting expectations in the Semester.

- disaggregate statistical data on educational participation by disability status as a reporting minimum;
- highlight systemic failures in the education system (such as segregative barriers);
- focus investment on active support measures for disabled learners in inclusive settings;
- consider the training and preparedness of staff to include disabled learners; and
- make connections between national skills strategies and national disability action plans.

**Table 17: Examples of education information requested in the CRPD review process**

| MS | Source              | Information requested on education (Article 24 CRPD and SDG 4)  |
|----|---------------------|---|
| AT | 2018 List of Issues | 41. Please provide information on the funding available to provide reasonable accommodation for students with disabilities based on individual requirements, to provide students with disabilities with the support they require within the mainstream education system, and to continue training teachers and all other educational and non-teaching staff to accommodate quality inclusive educational settings, in line with general comment No. 4 (2016) on the right to inclusive education. Please indicate what measures are taken to promote and encourage the training and hiring of teachers with disabilities. Please provide information on measures taken to implement targets 4.5 and 4 (a) of the Sustainable Development Goals. |
| BE | 2019 List of Issues | 22. Please provide information on: (a) Steps taken to adopt and implement a coherent and inclusive education strategy, in all communities of the State party, to transform the parallel-track education system, which includes special education, into a quality, inclusive system that provides support in the mainstream system for all children with disabilities, including children with intellectual disabilities. Please include information on the benchmarks, baselines and indicators used for the  |

<sup>107</sup> Committee on the Rights of Persons with Disabilities (2016) *General comment No. 4 (2016) on the right to inclusive education*, CRPD/C/GC/4, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/4](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/4).

| MS        | Source              | Information requested on education (Article 24 CRPD and SDG 4)   |
|-----------|---------------------|--|
|           |                     | strategy, and on the resources allocated to its implementation; (b) The financial, material and human resources available to provide individualized support for students with disabilities, and on the applicable accessibility standards within the framework of inclusive education; (c) Measures taken to promote and encourage the training and hiring of teachers with disabilities.  |
| <b>CZ</b> | 2019 List of Issues | 20. Please provide updated information on: (a) The implementation of the amended School Act (Act No. 561/2004 Coll., amended by Act No. 82/2015 Coll.) to ensure the right to inclusive education; (b) The allocation of financial, technical and human resources to ensure the right of all children with disabilities, including Roma children with disabilities, to a high-quality, inclusive education, and to provide teachers with training that fosters inclusive education, in both rural and urban settings, with Braille and sign language interpretation made available; (c) Efforts to transform segregated education into an inclusive education environment in both urban and rural areas, particularly for persons with intellectual disabilities or autism and deafblind persons. Please also provide an update on the achievement of objectives 10.1 to 10.32 of the National Plan for the Promotion of Equal Opportunities for Persons with Disabilities 2015–2020.  |
| <b>DE</b> | 2018 List of Issues | 24. Please provide information on: (a) The efforts and time frames to ensure that all professionals within and around the education system are sufficiently aware of and receive adequate training to contribute to high-quality inclusive education; (b) The identifiable resources available to ensure adequate staff, supervision and training to guarantee support for students with disabilities in mainstream schools, including higher education and sports activities; (c) The efforts to promote the employment of teachers and assistants with disabilities in mainstream schools; (d) The education establishments that have been transformed into inclusive settings since 2009 (number/percentage/types); (e) The Länder that guarantee the right of persons with disabilities to attend mainstream schools with reasonable accommodation as a legal entitlement with safeguards.   |
| <b>DK</b> | 2019 List of Issues | 22. Please provide information on: (a) Measures taken to include all children with disabilities in the inclusive education system, including in compulsory education, and to provide the required support and accommodation, in particular for autistic children and children requiring high levels of support; (b) Steps taken to train teachers and other members of school staff and to equip them with inclusive education skills, methodological knowledge and expertise to facilitate access by pupils with disabilities to inclusive education, and on the human, technical and financial resources provided to schools, including in Greenland and the Faroe Islands; (c) Measures to tackle the low educational outcomes of persons with disabilities, including in vocational training; (d) The number and percentage of children with disabilities with access to inclusive quality education, disaggregated by age and sex, type of impairment, type of school and municipality; (e) Awareness-raising and the effective dissemination of the Committee's general comment No. 4 (2016) on the right to inclusive education among professionals, in close partnership with representative organizations of persons with disabilities. |
| <b>HR</b> | 2020 List of Issues | 47. The Committee recommends that the State party formulate a comprehensive inclusive education policy with strategies for promoting a culture of inclusion in mainstream education, including individualized human-rights based assessments of educational requirements and necessary accommodation, support for teachers, respect for diversity in ensuring the rights to equality and non-discrimination, and the full and effective participation of persons with disabilities in society.'  |
| <b>HU</b> | 2017 List of Issues | 23. Please provide information on the measures taken to ensure that all students with disabilities have access to inclusive education, in both rural and urban areas, in line with the recommendation in 2012 of the Ombudsperson to ensure conditions for children and youth with disabilities to have quality education in schools throughout the State party. Please also provide information on: (a) The number of children with disabilities enrolled in inclusive mainstream schools, in special schools and in other segregated school units at all levels of education, disaggregated by sex, national or ethnic origin, impairment and urban or rural settings and trends since the last review of the State party by the Committee; (b)  |

| MS | Source              | Information requested on education (Article 24 CRPD and SDG 4)   |
|----|---------------------|--|
|    |                     | The human, technical and financial resources allocated to providing individualized support to students with disabilities to ensure equal access to the learning environment; (c) The steps taken to promote and ensure the training and hiring of teachers with disabilities and the training of teachers in sign language, orientation and mobility skills in mainstream schools.   |
| LT | 2023 List of Issues | 20. Please provide information on: (a) Steps taken to adopt and implement a coherent and inclusive education strategy in all the country's municipalities to transform the parallel education system, which includes special education, into a high-quality and inclusive system that provides support for the mainstreaming of persons with disabilities into regular educational settings. Please include information on the strategy's benchmarks, baselines and indicators, on the resources allocated to its implementation and on the plans for improving accessibility in existing schools for all persons with disabilities, regardless of type of impairment; (b) The financial, material and human resources available to provide individual support to students with disabilities and the accessibility standards applicable under the framework of inclusive education in the private and public sectors; (c) Steps taken to promote and encourage the training and employment of teachers with disabilities; (d) Measures to reduce stigma towards children with disabilities in the education system and to provide information and assistance to the parents of children with disabilities who fear the inclusion of their children in regular education; (e) Measures to provide reasonable accommodation to all students with disabilities in the general education system.   |
| NL | 2022 List of Issues | 22. Please provide information on: (a) Plans to discontinue the dual education system and implement the inclusive education system, and plans to build a strategy with clear targets and an allocated budget for inclusive education for all children with disabilities; (b) Plans to recognize the denial of access to education in general schools for a child with disabilities as a form of discrimination; (c) Measures taken to ensure access for all children with disabilities to general schools in their communities, and to ensure the necessary support, in particular the provision of reasonable accommodation, for children with disabilities in the general education system; (d) Measures taken to ensure access to inclusive tertiary education, including vocational and higher education, for children and adults with disabilities; (e) Training provided to general education teachers on the rights of children with disabilities to inclusive education, and on inclusive education methods and augmentative and alternative modes, means and formats of communication, education techniques and materials; (f) Data, disaggregated by age, sex and type of impairment, on children with disabilities in special education settings, including in special education schools and special education classes within the general education system, as well as on children with disabilities in the general education system. |
| SE | 2018 List of Issues | 28. Please explain in detail how the State party is working towards providing quality inclusive education at all levels of the education system with a view to fully replacing all forms of special education with inclusive education. In particular, please provide information about effective measures to: (a) ensure that an adequate level of funding is made available to provide reasonable accommodation to children with disabilities on the basis of the student's individual requirements, including with regards to school transportation; (b) provide students with disabilities with required support within the general education system, including with a view to ensuring that they do not leave school earlier than their peers without disability; (c) ensure the full inclusion of Roma children with disabilities into the mainstream education system; and (d) continue training teachers and all other educational staff to enable them to work in inclusive educational settings. Please inform the Committee about measures to implement targets 4.5 and 4 (a) of the Sustainable Development Goals.   |
| SK | 2019 List of Issues | 17. Please provide information about: (a) Measures taken to include all children with disabilities in their nearest mainstream education school and ensure the availability of the necessary support; (b) Steps taken to abolish the provision of the Education Act allowing schools to deny a place to pupils with disabilities when  |

| MS | Source | Information requested on education (Article 24 CRPD and SDG 4)  |
|----|--------|---|
|    |        | taking them would involve significant organizational or financial difficulties, and to allocate sufficient human, technical and financial support to schools; (c) The number and percentage of children with disabilities with access to education, disaggregated by age and sex, type of impairment, type of school, and municipality. |

## 4.2 UN Recommendations to Member States

The 2021 and 2022 EDE country fiches included relevant extracts from the UN CRPD Concluding Observations to each Member State, where available. These are collated here regarding employment, social policies and education, and were updated in preparation for the 2023 Semester cycle with addition of new information in 2022. No new Recommendations were published in the period since the last update (May 2022).

### 4.2.1 Recommendations relevant to employment

Article 27 CRPD refers to a wide range of policy steps that need to be taken, including the prohibition of disability discrimination in ‘all matters concerning all forms of employment’, protecting ‘just and favourable conditions of work’ and ‘labour and trade union rights’, promoting equal opportunities in work and training, and ensuring ‘reasonable accommodation’ is provided in the workplace.<sup>108</sup>

The recommendations on work and employment should be read in context of the UN Committee’s General Comment on Article 27 CRPD, published in September 2022. This document provides an important frame of reference for assessing labour market policy developments from a disability perspective, and in relation to SDG target 8.5, on ‘achieving, by 2030, full and productive employment and decent work for all persons, including persons with disabilities, and equal pay for work of equal value’.<sup>109</sup>

The General Comment summarises the key principles of Article 27 and interprets their meaning. A good summary analysis is also provided by the European Disability Forum (EDF), which identifies four key issues: Open labour market and sheltered employment; Discrimination at work or during recruitment; Reasonable accommodation; Working conditions and pay.<sup>110</sup>

The General Comment underlines the right to work in the open labour market, which means the regular job market that is open to anyone who is suitably qualified, regardless of disability. The working environment should also be free from discrimination and harassment. To summarise:

<sup>108</sup> Article 27 CRPD – Work and employment, <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-27-work-and-employment.html>.

<sup>109</sup> Committee on the Rights of Persons with Disabilities, *General comment No. 8 (2022) on the right of persons with disabilities to work and employment*, CRPD/C/GC/8, 2022, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2FC%2FGC%2F8&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2FC%2FGC%2F8&Lang=en).

<sup>110</sup> Hammersley, H., *The new General Comment on employment of persons with disabilities*, 2022, <https://www.edf-feph.org/the-new-general-comment-on-employment-of-persons-with-disabilities/>.

- Access to job opportunities: States should take steps to ensure that persons with disabilities have equal access to job opportunities in the open labour market. This includes measures such as removing barriers to recruitment and hiring, promoting the inclusion of persons with disabilities in apprenticeships and internships, and developing vocational training programs that are accessible to them;
- Reasonable accommodation: Employers have a duty to provide reasonable accommodations to enable workers to perform their jobs effectively. This includes measures such as modifying workstations, providing assistive technology, and allowing for flexible work arrangements;
- Anti-discrimination: States should adopt and enforce laws and policies that prohibit disability discrimination or harassment in the workplace. This includes ensuring that employers are aware of their legal obligations and provide mechanisms for redress;
- Social protection: States should ensure that persons with disabilities who work in the open labour market have equal access to social protection measures, such as health insurance, retirement benefits, and unemployment insurance.

Based on the concept of the open labour market, the General Comment makes important observations about the persistence of sheltered employment schemes as a means to provide employment opportunity (including in several EU Member States). Such schemes should be viewed as a temporary and transitional measure and should be accompanied by measures to promote inclusion in the open labour market. Persons with disabilities should have the right to choose their participation.

- Choice and participation: if persons with disabilities choose to participate, they should have the same rights and protections as workers in the open labour market.
- Promotion of inclusion: States should ensure that there are measures to promote and facilitate transition to the open labour market.
- Monitoring: schemes should be monitored to ensure they are consistent with CRPD principles of non-discrimination, inclusion, and respect for human dignity (including protection from exploitation or forced labour).

The UN Committee views the structural segmentation of persons with disabilities outside the mainstream in a similar way to segregated education or institutional care. For example, in its 2015 Concluding Observations to Germany, the CRPD Committee expressed concern about ‘segregation in the labour market’ and ‘The fact that segregated, sheltered workshops fail to prepare workers for or promote transition to the open labour market’.<sup>111</sup> In 2021, it recommended that Estonia ‘Strengthen measures to ensure work and employment of persons with disabilities in the open labour market, and inclusive work environments, including for persons with disabilities taking part in deinstitutionalisation processes... and ‘Adopt a strategy to abolish

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<sup>111</sup> See:

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fDEU%2fCO%2f1](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fDEU%2fCO%2f1).

sheltered workshops'.<sup>112</sup> Similarly, France was recommended to 'effectively abolish sheltered employment and adopt a time-bound policy and benchmarks to ensure that all persons with disabilities have access to work and employment in the open labour market, regardless of the type of impairment or level of support required'.<sup>113</sup>

Understanding the extent to which employment policies integrate or marginalise job search and placement for persons with disabilities is highly relevant to the Semester. Labour market segmentation has disability implications too for the Social Pillar concerns with equality, labour rights and wage setting.<sup>114</sup> This kind of employment segmentation is not apparent from general statistical indicators, which present a unified picture of the labour market, but it should be considered among the explanatory factors for analysis at country level, where relevant.

In its 2015 Concluding Observations to the EU, the UN Committee expressed its concern at 'the high unemployment rates for persons with disabilities, especially women with disabilities and persons with intellectual and/or psychosocial disabilities, in comparison with other groups of population in the European Union'. Accordingly:

'The Committee recommends that the European Union take effective actions to measure the employment of persons with disabilities and to increase their employment rate in open labour market, including by providing training for Member States on reasonable accommodation and accessibility in the context of employment.'<sup>115</sup>

So, there is some expectation from the UN that the EU has shared competence and responsibility not only to protect non-discrimination rights arising from Directive 2000/78/EC but also to help the Member States co-ordinate and monitor employment policies (i.e. in the development of employment statistics and through the advisory process of the European Semester). These assumptions were strengthened by the adoption of the EU disability strategy in 2021 and the continued recognition of disability issues in the current Employment Guidelines and Social Pillar.

To achieve co-ordination between the European Semester process and the UN CRPD process it would be useful for the Member States and the Commission to refer to UN Conclusions when preparing National Reform Programmes and Country Reports (as well as the types of information requested by the UN Committee outlined earlier). The following extracts from the UN Committee's Recommendations on Article 27 highlight areas where the EU could harmonise its European Semester reviews with its

<sup>112</sup> See: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEST%2fCO%2f1](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEST%2fCO%2f1).

<sup>113</sup> See: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fFRA%2fCO%2f1&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fFRA%2fCO%2f1&Lang=en).

<sup>114</sup> These are addressed in the Social Pillar analysis provided by ANED in 2016-17, <https://www.disability-europe.net/downloads/870-mainstreaming-disability-rights-in-the-european-pillar-of-social-rights-a-compendium>.

<sup>115</sup> See: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEU%2fCO%2f1](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEU%2fCO%2f1).

supportive role to the Member States as a regional integration organisation under the UN CRPD).

**Table 18: UN Recommendations to Member States under Article 27 CRPD (work and employment)**

| Country | Year | Recommendations (employment)  |
|---------|------|---|
| AT      | 2013 | 47. The Committee recommends that the State party enhance programmes to employ persons with disabilities in the open labour market. The Committee further recommends that measures be put in place to narrow the employment and pay gender gap.   |
| BE      | 2014 | 39. The Committee recommends that the State party take all necessary regulatory measures and incentives to guarantee the right of persons with disabilities to employment, in both the private sector and the public sector. It should ensure that they have effective protection against discrimination, vocational training, adequate accessibility and the necessary reasonable accommodation.   |
| BG      | 2018 | 58. The Committee recommends that the State party: (a) Adopt a policy framework and a strategy to promote employment for persons with disabilities in the open labour market, including by increasing resources for it, with the aim to facilitate transition from sheltered employment to the open labour market; (b) Recognize in its legal and policy framework the right of persons with disabilities to reasonable accommodation at the workplace; (c) Raise awareness among public and private companies about reasonable accommodation at work; (d) Strengthen training programmes for persons with disabilities on skills that are required in the open labour market and skills in entrepreneurship and collect disaggregated and targeted data about the participation of women and men with disabilities in programmes and the outcome of training for them. |
| CY      | 2017 | 54. The Committee recommends that the State party ensure access to employment in the open labour market, including by ensuring that the private sector is also covered by a quota system and by ensuring equal pay for work of equal value in all settings for all persons with disabilities being guided by target 8.5 of the Sustainable Development Goals. It furthermore recommends that the State party collect data on the employment of persons with disabilities, disaggregated by gender, age and type of impairment.  |
| CZ      | 2015 | 52. The Committee calls upon the State party to ensure the same wage for all persons with disabilities, regardless of their disability classification. It also urges the State party to develop measures, intensify efforts and allocate sufficient resources to promoting the employment in the open labour market of persons with disabilities, especially women.   |
| DE      | 2015 | 50. The Committee recommends that the State party provide regulations that effectively create an inclusive labour market in accordance with the Convention by: (a) Creating employment opportunities in accessible workplaces, in line with general comment No. 2 of the Committee, in particular for women with disabilities; (b) Phasing out sheltered workshops through immediately enforceable exit strategies and timelines and incentives for public and private employment in the mainstream labour market; (c) Ensuring that persons with disabilities do not face any reduction in social protection and pension insurance currently tied to sheltered workshops; (d) Collecting data on the accessibility of workplaces in the open labour market.  |
| DK      | 2014 | 59. The Committee recommends that the State party take all necessary measures to significantly increase, as soon as possible, the percentage of persons with disabilities working in the open labour market, including amendments to the general labour legislation so that it imposes clear obligations on employers to afford reasonable accommodation to employees with disabilities.  |
| EE      | 2021 | 53. The Committee recommends that the State party, in line with target 8.5 of the Sustainable Development Goals: (a) Strengthen measures to ensure work and employment of persons with disabilities in the open labour market, and inclusive work environments, including for persons with disabilities taking part in deinstitutionalization processes, those living in rural areas, persons with  |

| Country | Year | Recommendations (employment)  |
|---------|------|---|
|         |      | intellectual, persons with hearing impairments, and persons with psychosocial disabilities; (b) Adopt a strategy to abolish sheltered workshops. The State party should review labour conditions of all persons with disabilities, and ensure that persons with disabilities are not paid below the minimum wage; (c) Adopt measures, alongside with the workability reform to combat attitudinal barriers among employers, and adopt an action plan to assess periodically accessibility at the work place, including access to transportation, alternative means of information and communication, sign language and speech to text interpretation, and pictograms for job seekers and employees. The State party should adopt policies and procedures that establish and support the infrastructure for the provision of personal assistance at the workplace; (d) Ensure that the right to seek reasonable accommodation in the workplace is recognised for employees in the public and private sector; (e) Develop a comprehensive system of vocational and professional training for persons with disabilities and effective transitions from vocational and tertiary education to work and employment.   |
| EL      | 2019 | 39. The Committee recommends that the State party take effective measures to ensure the inclusion of persons with disabilities, particularly women with disabilities, in the open labour market, with a view to achieving target 8.5 of the Sustainable Development Goals. It also recommends that the State party ensure the provision of specific measures and individualized support in the workplace; promote among employers the right of persons with disabilities to employment on an equal basis with others; and mainstream the disability dimension in all employment policies, measures and programmes, including in the policy design of the Greek Manpower Employment Organization.  |
| ES      | 2011 | 46. The Committee recommends that the State party develop open and advanced programmes to increase employment opportunities for women and men with disabilities.  |
| FI      |      | [Not yet scheduled].  |
| FR      | 2021 | 55. The Committee recommends that, in line with target 8.5 of the Sustainable Development Goals, the State party: (a) Move towards eradicating all forms of segregated work, strengthen measures to effectively abolish sheltered employment and adopt a time-bound policy and benchmarks to ensure that all persons with disabilities have access to work and employment in the open labour market, regardless of the type of impairment or level of support required, and their meaningful inclusion in work environments, in the private and public sectors; (b) Review the labour conditions of all persons with disabilities and ensure that persons with disabilities are not paid below the minimum wage; (c) Promote the employment of women with disabilities in the open labour market, ensuring that they are informed about and can effectively seek individualized support through the provision of reasonable accommodation, and have access to effective measures to balance work and family life; (d) Develop awareness-raising campaigns aimed at promoting the participation of women with disabilities in employment and at shifting attitudinal barriers to the recognition of the capacities of women with disabilities and their contribution to all domains of work in the open labour market, on an equal basis with others; (e) Ensure that persons with disabilities have access to general technical and vocational guidance programmes, vocational and continuing training, and to guidance towards employment on an equal basis with others, and adopt measures to support the careers of persons with disabilities who wish to work as researchers through multi-year planning in research establishments; (f) Ensure that the right to seek individualized support through the provision of reasonable accommodation in the workplace is recognized by employees in the public and private sectors, and strengthen measures to inform and facilitate the recognition of reasonable accommodation for employees in the workplace. |
| HR      | 2015 | 42. The Committee recommends that the State party develop and implement, in cooperation with organizations of persons with disabilities, a plan of action to increase the employment of persons with disabilities in the open labour market. It recommends that the quota system is complemented with other incentives for  |

| Country   | Year | Recommendations (employment)  |
|-----------|------|---|
|           |      | employers to hire persons with disabilities. Disincentives to employment for persons with disabilities should be analysed and remedied. Reasonable accommodation, including supported employment with personal assistance, and the accessibility of the workplace, should be regulated and monitored.   |
| <b>HU</b> | 2022 | 53. The Committee recommends that in line with target 8.5 of the Sustainable Development Goals, the State party: (a) Revise the existing legislation and measures of support for the employment of persons with disabilities and take comprehensive measures aimed at effectively supporting the work and employment of persons with disabilities in the open labour market and in inclusive work environments; (b) Adopt legislative and policy measures to protect the rights of persons with disabilities to just and favourable conditions of work, and ensure that persons with disabilities are not paid below the minimum wage and are provided with work contracts and equal remuneration for work on an equal basis with others; (c) Redirect the allocations for the employment of person with disabilities from sheltered employment to support the employment of persons with disabilities, including of persons who require higher levels of support and deinstitutionalized persons, and ensure that the right to seek reasonable accommodation in the workplace is recognized for employees in the public and private sectors; (d) Monitor, in close consultation with organizations of persons with disabilities, the accessibility of workplaces across the State party and adopt an action plan with the aim of outlining measures, with time frames and adequate budgets, to ensure reasonable accommodation in and the accessibility of workplaces, including access to transportation. |
| <b>IE</b> |      | [Not yet scheduled].  |
| <b>IT</b> | 2016 | 70. The Committee recommends that the State party be guided by article 27 of the Convention in implementing targets 8.5 of the Sustainable Development Goals; and that it ensures the achievement of full and productive employment and decent work for all, including persons with disabilities, and equal pay for work of equal value. In addition, the State party must implement special measures to address the low level of employment for women with disabilities. It also recommends that the State party remove any legislation limiting the rights of persons with disabilities to perform any profession on the grounds of their disability.   |
| <b>LT</b> | 2016 | 52. The Committee recommends that the State party, in close collaboration with representative organizations of persons with disabilities, eliminate the concept of 'working incapacity' of persons with disabilities and develop and implement efficient strategies and programmes aimed at increasing the employment rate of persons with disabilities in the open labour market, by eliminating segregated work environments and investing in promoting vocational training, access to appropriately adjusted workplaces, the provision of reasonable accommodation and the training of private and public employers, as set out in target 8.5 of the Sustainable Development Goals.  |
| <b>LU</b> | 2017 | 47. The Committee recommends that the State party adopt measures to phase out sheltered workshops, with a time-bound schedule and plan for transfer of those currently employed in sheltered workshops into the open labour market, and increase the level of employment of persons with disabilities in the open labour market, in line with the Convention and in view of target 8.5 of the Sustainable Development Goals, and that it ensure the achievement of full and productive employment and decent work for all, including persons with disabilities, and equal pay for work of equal value. It also recommends that the State party: (a) Designate an entity for monitoring and sanctioning non-compliance of labour quotas in both the private and public sectors; (b) Take measures to ensure the effective monitoring of the provision of reasonable accommodation, with appropriate remedies for the denial of requests; (c) Provide vocational and professional training and provide incentives for the self-employment of persons with disabilities, particularly women with disabilities.   |
| <b>LV</b> | 2017 | 47. The Committee recommends that the State party: (a) Ensure support for the employment of all persons with disabilities in the open labour market in inclusive  |

| Country   | Year | Recommendations (employment)  |
|-----------|------|---|
|           |      | employment settings on an equal basis with others; (b) Pay attention to the links between article 27 of the Convention and target 8.5 of the Sustainable Development Goals.   |
| <b>MT</b> | 2018 | 40. The Committee recommends that the State party adopt further enforcement mechanisms and incentives to ensure the implementation of the quota system under articles 15 and 16 of the Persons with Disability (Employment) Act and other measures to support persons with disabilities to work in the open labour market, in accordance with the Convention and target 8.5 of the Sustainable Development Goals, and ensure the achievement of full and productive employment and decent work for all. It also recommends that the State party: (a) Amend article 17 (3) of its Constitution to bring it in conformity with article 27 of the Convention; (b) Review the quota system under the Persons with Disability (Employment) Act in order to make it applicable to enterprises with less than 20 employees; (c) Replace any assessment of suitability to work with an assessment that considers the needs and requirements for reasonable accommodation at work for persons with disabilities; (d) Step up efforts to raise awareness among employers on the rights of persons with disabilities to work in the open labour market, in particular the provision of reasonable accommodation, and on the benefits of employing persons with disabilities. |
| <b>NL</b> |      | [Not yet scheduled].  |
| <b>PL</b> | 2018 | 48. The Committee recommends that the State party develop legislation and measures for the employment of persons with disabilities in the open labour market, and that it in particular: (a) Promote the work and employment of women with disabilities, and ensure equal income, particularly in rural areas; (b) Promote decent work for persons with disabilities, particularly women with disabilities, in public and private sectors and provide specific incentives and support for reasonable accommodation, including individual assistance for employing persons with a wide range of disabilities; (c) Ensure that the employment quota of 6 per cent for persons with disabilities is reached in all sectors, in particular in the public administration sector; (d) Ensure that open labour market activation programmes effectively include all persons with disabilities.   |
| <b>PT</b> | 2016 | 52. The Committee recommends that the State party, in close consultation with organizations representing persons with disabilities, review its public- and private-sector labour legislation to bring it into line with the Convention and that it takes measures to enforce the law and apply the stipulated penalties for non-compliance. The Committee also recommends that it do away with segregated working environments, that it review the legislation regulating the Occupational Activity Centres from a human rights perspective to bring them into line with the Convention and that it steps up efforts to promote access to the regular labour market for persons with intellectual disabilities and autism. The State party should promote corporate social responsibility in connection with the employment of persons with disabilities. The Committee recommends that the State party consider the links between article 27 of the Convention and target 8.5 of the Sustainable Development Goals, with a view to achieving full and productive employment and decent work for all women and men, including for persons with disabilities, and equal pay for work of equal value.   |
| <b>RO</b> |      | [Not yet scheduled].  |
| <b>SE</b> | 2014 | 50. The Committee recommends that the State party take measures to improve opportunities for persons with disabilities to obtain work on the basis of the report presented by the FunkA Inquiry (FunkA-utredning). It further suggests that the State party increase measures of support, including, inter alia, personal assistance in employment, technical assistance in performing in the workplace, reduced social fees, financial support to employers, rehabilitation and vocational training, and that it put in place measures to narrow the employment and pay gender gap. The Committee recommends that the State party assess the impact of the use in the labour market of the term 'people with reduced capacities or limitations' to refer to persons with disabilities and revise it in accordance with the principle of non-discrimination.  |

| Country | Year | Recommendations (employment)  |
|---------|------|---|
| SI      | 2018 | 46. The Committee recommends that the State party: (a) Adopt measures aimed at promoting an inclusive, open and accessible labour market in all sectors for all persons with disabilities; (b) Create specific incentives for employers and provide reasonable accommodation for persons with disabilities, particularly for persons with intellectual disabilities, aimed at facilitating their inclusion in the open labour market; (c) Ensure the safeguarding of all incomes, including disability pensions for self-employed persons with disabilities; (d) Ensure equal requirements for employment quotas in the public administration and information services and other work sectors, and monitor their implementation. The State party should collect data on compliance with the quota system and provide for adequate sanctions in cases of non-compliance. |
| SK      | 2016 | 74. The Committee recommends that the State party step up efforts on the transition from sheltered workshops to an open labour market for all. The process must include an action plan, timetable, budget and training for public and private sector employers, including on the provision of reasonable accommodation. The Committee also recommends that the State party pay attention to the links between article 27 of the Convention and target 8.5 of the Sustainable Development Goals.   |

#### 4.2.2 Recommendations relevant to social policies and healthcare

Article 28 CRPD recognizes the right of persons with disabilities and their families to an adequate standard of living and social protection.<sup>116</sup> Unlike in the field of work and employment, the UN Committee has not yet formulated a General Comment of interpretation on this Article. Nevertheless the main principles can be determined from the CRPD and other related UN Conventions, as well SDG Goal 1 on ending poverty in all forms everywhere, and from EU commitments on social protection.

- The right to an adequate standard of living and social protection is a fundamental human right that applies to all persons with disabilities, regardless of age, gender, ethnicity, or any other characteristic.
- An adequate standard of living includes not only the means to procure basic necessities like food, water, and shelter, but also access to healthcare, education, employment, and other social services.
- Social protection measures are important in this regard to ensure that persons with disabilities are able to live with dignity and participate fully in society, such as adequate social security, disability benefits, and other forms of assistance.
- Barriers that may prevent persons with disabilities from achieving an adequate standard of living and access to social protection include discrimination, stigma, and lack of access to services. This includes access to appropriate housing.
- States should develop and implement policies and programs that are inclusive and supportive, providing accessible information about them and involving persons with disabilities in this development.

<sup>116</sup> Article 28 CRPD – Adequate standard of living and social protection, <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-28-adequate-standard-of-living-and-social-protection.html>.

#### 4.2.2.1 Social protection

**Table 19: UN Recommendations to Member States under Article 28 CRPD (social protection)**

| Country | Year | Recommendations (social protection)  |
|---------|------|--|
| AT      | 2013 | 37. The Committee recommends that the State party ensure that the federal Government and the governments of the Länder step up efforts towards de-institutionalisation and allowing persons with disabilities to choose where they live.   |
| BE      | 2014 | There was no recommendation on Article 28.   |
| BG      | 2018 | 60. The Committee recommends that the State party revise the criteria for assessing the degree of impairment, incorporate the human rights model of disability in the assessment process, and ensure that persons with disabilities continue to enjoy an adequate standard of living. It also calls upon the State party to intensify its efforts to ensure that all persons with disabilities can meet the additional costs of disability, including by increasing budget allocations and resources accordingly.  |
| CY      | 2017 | 56. The Committee recommends that the State party implement progressively measures to ensure adequate income of persons with disabilities in order to reduce significantly the pay gap between persons with and without disabilities, regardless of gender, ethnic origin or age, and that it abolish the requirement of user payment for social services and support and partial payment for disability-related expenses and assistive devices, being guided by target 10.2 of the Sustainable Development Goals. Furthermore, the Committee recommends that the State party identify a social protection floor that is not affected by expenses for disability-related costs and assistive devices and user payments for social services and support, in order to alleviate the socioeconomic disadvantages that result from the exclusion experienced by persons with disabilities.                                       |
| CZ      | 2015 | 54. The Committee calls upon the State party to review the legislation on the provision of benefits to persons with disabilities, with genuine participation of persons with disabilities, to reintroduce the additional social allowance in order to bring the standard of living of families with children with disabilities above the subsistence level. The State party should also broaden the range of and facilitate access to assistive devices for children with disabilities, regardless of age. 56. The Committee calls upon the State party to revise its legislation on disability pension beneficiaries and the newly established method of calculating the relevant period from the beginning of disability until the entitlement of retirement pensions, as it has resulted in the amount of the pension received by persons with disabilities at the third level being below the minimum subsistence level. |
| DE      | 2015 | 52. The Committee recommends that the State party immediately undertake a review of the personal income used by persons with disabilities to meet their needs and to live independently. The Committee also recommends that the State party provide social services to persons with disabilities that provide the same living standards compared to persons without disabilities on comparable incomes.  |
| DK      | 2014 | There was no recommendation on Article 28.   |
| EE      | 2021 | 55. Taking into account the links between article 28 of the Convention and target 1.3 of the Sustainable Development Goals, the Committee recommends that the State party: (a) Mainstream the rights of persons with disabilities within the national strategy for poverty eradication with concrete expeditious measures and earmarked budgets to address situations of disadvantage and exclusion concerning older persons with disabilities, in particular older women; (b) Prioritise persons with disabilities in the socio-economic response to the COVID-19 pandemic, and ensure the access to appropriate and affordable services and facilities for the general population, assistance, transportation and to public housing programmes for persons with disabilities, particularly to women with disabilities.   |
| EL      | 2019 | 41. The Committee recommends that the State party revise the relevant legal provisions and practices on welfare allowances, benefits, pensions and tax exemptions for persons with disabilities, harmonizing the existing rules and repealing discriminatory rules and practices, including in the disability certification  |

| Country   | Year | Recommendations (social protection)  |
|-----------|------|--|
|           |      | system. The Committee also recommends that the State party ensure the effective implementation of the existing social protection framework, and progressively develop further measures to ensure an adequate standard of living for persons with disabilities.   |
| <b>ES</b> | 2011 | 40. The Committee encourages the State party to ensure that an adequate level of funding is made available to effectively enable persons with disabilities: to enjoy the freedom to choose their residence on an equal basis with others; to access a full range of in-home, residential and other community services for daily life, including personal assistance; and to so enjoy reasonable accommodation so as to better integrate into their communities.  |
| <b>FI</b> |      | [Not yet scheduled].   |
| <b>FR</b> | 2021 | 57. Taking into account the links between article 28 of the Convention and target 1.3 of the Sustainable Development Goals, the Committee recommends that the State party: (a) Assess the implementation of disability legislation and policies at the national and regional levels with the aim of ensuring equal access to support for persons with disabilities regardless of their age, and streamline procedures at the municipal level to provide persons with disabilities with support. The State party should provide persons with disabilities with information about their rights and entitlements in accessible formats, including Easy Read; (b) Review the provisions concerning the allocation and the amount of the adult disability allowance in consultation with organizations of persons with disabilities; (c) Streamline social security support systems to ensure that they are accessible to all persons with disabilities, as a measure to tackle poverty; (d) Design and implement programmes to establish accessible housing and reinforce human rights-based support schemes for all persons with disabilities to cover disability-related expenses and to enable them to gain access to an adequate standard of living. |
| <b>HR</b> | 2015 | 44. The Committee recommends that poverty reduction programmes be strengthened. It also recommends that benefits aimed at alleviating increased costs arising from disability should be based on an assessment of the individual's support needs and should disregard any financial assets test.   |
| <b>HU</b> | 2022 | 55. The Committee recommends that the State Party take appropriate legislative steps to: (a) Recognize the right of persons with disabilities to an adequate standard of living for them and their families and to progressive improvement in their living conditions through decent disability allowances and benefits and accessible and available housing and services in the community; (b) Redress the negative impacts of the reform of the disability benefits schemes in 2012 and ensure that persons with disabilities are compensated for the damage caused by the reform; (c) Revise the disability entitlement system to make it accessible and easy to use for all persons with disabilities, through the provision of alternative and augmentative modes of information and communication.   |
| <b>IE</b> |      | [Not yet scheduled].   |
| <b>IT</b> | 2016 | 72. The Committee recommends that the State party expedite constitutional reform to homogenize social protection interventions and policies throughout the national territory; expedite the adoption and implementation of the Minimum Standards of Social Assistance; conduct assessments of the impact of austerity measures on children and adults with disabilities; and prevent any further reduction in resources that could increase levels of poverty. It also recommends that the State party be guided by article 28 of the Convention in implementing target 10.2 of the Sustainable Development Goals, including by mainstreaming disability in its poverty reduction policies.  |
| <b>LT</b> | 2016 | 54. The Committee recommends that the State party adopt new policies that secure income levels among persons with disabilities and their families that are adequate and equal to the income levels of others, and that take into account additional disability-related costs.<br>56. The Committee recommends that the State party take steps to secure that persons with disabilities and their families are not disproportionately affected by budget cuts and to ensure an adequate standard of living through income support   |

| Country   | Year | Recommendations (social protection)  |
|-----------|------|--|
|           |      | and social security, taking note of target 1.3 of the Sustainable Development Goals, which calls on States to implement appropriate social protection systems and measures for all, including floors.  |
| <b>LU</b> | 2017 | 49. The Committee recommends that the State party collect data on the socioeconomic situation of persons with disabilities to design appropriate policies to ensure an adequate standard of living for persons with disabilities and their families. It also recommends that the State party: (a) Ensure that social protection policies and programmes secure income levels by taking into account the additional costs related to disability; (b) Guarantee that persons with disabilities have access to sufficient community-based social services, public housing programmes and support services for living independently respectful of the rights, will and preferences of persons with disabilities; (c) Pay attention to the links between article 28 of the Convention and target 1.3.1 of the Sustainable Development Goals, which calls upon States to implement appropriate social protection systems and measures for all, including floors.   |
| <b>LV</b> | 2017 | 49. The Committee recommends that the State party: (a) Ensure an adequate standard of living for persons with disabilities and their families, by guaranteeing, inter alia, that social protection and poverty reduction programmes take into account the additional costs related to disability; (b) Pay attention to the links between article 28 of the Convention and target 1.3 of the Sustainable Development Goals.   |
| <b>MT</b> | 2018 | No observations were provided on Article 28.   |
| <b>NL</b> |      | [Not yet scheduled].   |
| <b>PL</b> | 2018 | 50. Taking into account the links between article 28 of the Convention and target 1.3 of the Sustainable Development Goals, the Committee recommends that the State party: (a) Emphasize the rights of persons with disabilities, particularly of women with disabilities, and mainstream them into the national strategy for reducing poverty with concrete measures and relevant budget; (b) Ensure that the employment of persons with disabilities does not make them ineligible for disability-related protection schemes, such as disability allowances; (c) Collect disaggregated data on the poverty of persons with disabilities, and monitor the effectiveness of social security mechanisms designed to combat poverty; (d) Ensure specific measures to ensure access to housing for persons with disabilities; (e) Ensure that the term ‘public housing’ is translated correctly in the Polish-language version of the Convention.   |
| <b>PT</b> | 2016 | 54. The Committee recommends that the State party, in cooperation with organizations representing persons with disabilities, take the following measures: (a) Urgently review austerity measures to prevent further negative and regressive effects on the standard of living and social protection of persons with disabilities by taking steps that enable them to be included in the community; (b) Provide support services for living independently and residential homes respectful of the rights of persons with disabilities, their wishes and preferences, in addition to providing cash subsidies to make it possible for unemployed persons with disabilities and without family support to have a decent standard of living; (c) Step up efforts, in line with the human rights approach of the Convention, to strengthen the right to a decent standard of living and the social protection of persons with disabilities who are living in poverty and extreme poverty, allocating funds sufficient for that purpose; (d) Consider the links between article 28 of the Convention and target 10.2 of the Sustainable Development Goals in order to empower and promote the social, economic and political inclusion of all, irrespective of their disability. |
| <b>RO</b> |      | [Not yet scheduled].   |
| <b>SE</b> | 2014 | No observations were provided on Article 28.   |
| <b>SI</b> | 2018 | 32. With reference to the Committee’s general comment No. 5 (2017) on living independently and being included in the community, the Committee recommends that the State party: (a) Adopt and implement a strategy and action plan, within a time frame, aimed at deinstitutionalization; (b) Prevent any form of re-institutionalization and provide sufficient funding for developing community-based   |

| Country   | Year | Recommendations (social protection)   |
|-----------|------|---|
|           |      | independent living schemes; (c) Allocate sufficient resources to ensure that services in the community are available, accessible, affordable, acceptable and accommodating of persons with disabilities, so that such persons may exercise their right to live independently and be included in their communities, in both urban and rural areas; (d) Strengthen the national and municipal capacity to implement deinstitutionalization, in close cooperation with organizations of persons with disabilities. |
| <b>SK</b> | 2016 | 76. The Committee recommends that the State party provide an adequate standard of living to persons with disabilities, including those from an ethnic minority background and those over the age of 65, and ensure that social protection schemes are regularly monitored to track the alleviation of poverty. The Committee also recommends that the State party pay attention to the links between article 28 of the Convention and target 10.2 of the Sustainable Development Goals.                         |

#### 4.2.2.2 Independent living

**Table 20: UN Recommendations to Member States under Article 19 CRPD (living independently)**

| Country   | Year | Recommendations (independent living)   |
|-----------|------|--|
| <b>AT</b> | 2013 | 39. The Committee recommends that the State party ensure that the personal assistance programmes provide sufficient financial assistance to ensure that a person can live independently in the community. The Committee further recommends that the State party harmonize and broaden its personal assistance programmes by making personal assistance available to all persons with intellectual and psychosocial disabilities.   |
| <b>BE</b> | 2014 | There was no recommendation on Article 28.<br>33. The Committee recommends that the State party work towards deinstitutionalization by reducing investment in collective infrastructure and promoting personal choice. The Committee urges the State party to implement a disability action plan at all levels of the State to guarantee access to services and an independent life for persons with disabilities so that they are able to live in the community. The action plan must eliminate current waiting lists and ensure that persons with disabilities have access to sufficient financial resources and that communities are accessible for persons with disabilities. The Committee recommends that the State party devise international cooperation programmes that respect the right of persons with disabilities to live in the community and involve disabled persons' representatives and their families in their preparation.  |
| <b>BG</b> | 2018 | 40. The Committee, in accordance with its general comment No. 5, recommends that the State party:<br>(a) Accelerate the transition process to ensure that all persons with disabilities living in any form of institution, such as psychiatric hospital units or in small community-based group homes, have the right to live independently within the community with choices equal to those of other persons; in the deinstitutionalization process, the State party should focus on the situation of persons with intellectual or psychosocial disabilities, and children and elderly persons with disabilities;<br>(b) Allocate greater resources for developing individualized support services for persons with disabilities, regardless of the type of impairment or age; such services should include peer support and personal assistance;<br>(c) Adopt legislation on individualized and self-managed personal assistance and social and support services, recognizing the right to live independently and be included in the community as a subjective right for all persons with disabilities, regardless of their impairment or required level of support;<br>(d) Implement a procedure to consult in a meaningful and disability-sensitive manner with organizations of persons with disabilities on all aspects of the |

| Country   | Year | Recommendations (independent living)   |
|-----------|------|--|
|           |      | implementation of article 19, including deinstitutionalization strategies and processes;<br>(e) Allocate national financial resources and those provided by the European Union to promote the inclusion of persons with disabilities in society, and introduce efficient remedies and guidelines to avoid spending national and international funds on establishing infrastructure, housing and/or services that are not accessible or affordable to all persons with disabilities.  |
| <b>CY</b> | 2017 | 44. The Committee recommends that the State party, in close collaboration with representative organizations of persons with disabilities, and in line with Article 4(3) of the Convention:<br>(a) Develop and implement safeguards securing the right to independent living;<br>(b) Adopt and immediately implement an adequately funded deinstitutionalization strategy;<br>(c) Redirect resources allocated to institutionalization and earmark and allocate them to community-based services and increase the budget enabling persons with disabilities to live independently across the State party with access to individually assessed and adequate services, including personal assistance, within the community.   |
| <b>CZ</b> | 2015 | 39. The Committee urges the State party to step up the process of deinstitutionalization and to allocate sufficient resources for the development of support services in local communities that would enable all persons with disabilities, regardless of their impairments, gender or age, to choose freely with whom, where and under which living arrangements they will live, in line with the provisions of article 19 of the Convention.<br>40. The Committee recommends that the State party take all measures necessary to ensure that policy processes for deinstitutionalization, including the development of the National Plan on Promoting Equal Opportunities for Persons with Disabilities 2015–2020, have a clear timeline and concrete benchmarks for implementation that are monitored effectively at regular intervals. In particular, the Committee urges the State party to abolish the placement of children under 3 years of age in institutionalized care as soon as possible. |
| <b>DE</b> | 2015 | 42. The Committee recommends that the State party:<br>(a) Take steps towards the legal reform of section 13, paragraph 1 (3), of the Twelfth Book of the Social Code for increased social assistance services to enable inclusion, self-determination and the choice to live in the community;<br>(b) Allocate sufficient financial resources to facilitate deinstitutionalization and promote independent living, including increased financial resources to provide community-based outpatient services providing the required support to persons with intellectual or psychosocial disabilities based on the free and informed consent of the individual concerned, across the whole country;<br>(c) Increase access to programmes and benefits to support living in the community and ensure they cover disability-related costs.  |
| <b>DK</b> | 2014 | 43. The Committee recommends that the State party end the use of State-guaranteed loans to build institution-like residences for persons with disabilities; that it amend the legislation on social services so that persons with disabilities may freely choose where and with whom they live, while enjoying the necessary assistance to live independently; and that it take measures to close existing institution-like residences and to prevent the forced relocation of persons with disabilities, in order to avoid isolation from the community.  |
| <b>EE</b> | 2021 | 39. The Committee recalls its General comment No.5 (2017) on living independently and being included in the community, and recommends that the State party:<br>(a) Adopt a strategy, including awareness raising activities to promote understanding of the right to choose and self-determination of persons with disabilities concerning living arrangements, the right to not be obliged to live in a particular living arrangement, and the value of inclusion in the community, as opposed to segregation from the community;   |

| Country | Year | Recommendations (independent living)   |
|---------|------|--|
|         |      | <p>(b) Implement a moratorium of new institutionalization of children and adults with disabilities, revise its deinstitutionalization strategy, and redirect the use of public funds, including the European Regional Development funds to developing individualized support for living independently, and transition programmes from congregated settings, such as 'home-like institutions', 'family-type houses' and 'special care villages' to inclusion in the community;</p> <p>(c) Develop a system for self-managed personal assistance, which include the person-directed tools for supporting living independently in the community, according to an individual's requirements and preferences;</p> <p>(d) Set up a timeframe and benchmarks for achieving accessibility to mainstream services in the community by persons with disabilities on an equal basis with others.</p>  |
| EL      | 2019 | <p>29. The Committee recommends that, in line with its general comment No. 5 (2017) on living independently and being included in the community, the State party:</p> <p>(a) Adopt a comprehensive national strategy with clear time-bound measures and sufficient funds for effective deinstitutionalization at all levels;</p> <p>(b) Ensure the active involvement of persons with disabilities through their representative organizations in the development of independent living strategies and schemes that provide accessible community-based services, especially at the local level.</p>   |
| ES      | 2011 | 42. The Committee encourages the State party to expand resources for personal assistants to all persons with disabilities in accordance with their requirements.   |
| FI      |      | [Not yet scheduled].   |
| FR      | 2019 | <p>41. The Committee recalls its general comment No. 5 (2017) on living independently and being included in the community, and recommends that the State party, in consultation with organizations of persons with disabilities:</p> <p>(a) End the institutionalization of children and adults with disabilities, including in small residential homes, and launch a national strategy and action plans to end the institutionalization of persons with disabilities, with time-bound benchmarks, human, technical and financial resources, responsibilities for implementation and monitoring, and measures to support the transition from institutions to life in the community;</p> <p>(b) Ensure the implementation of the agreement concerning the moratorium on placing persons with disabilities in Belgian institutions, and strengthen measures to support families of children with disabilities and to uphold the right of persons with disabilities to live independently and in the community;</p> <p>© Recognize the right to live independently and to be included in the community in legislation and take measures to implement it, and develop awareness-raising measures, including campaigns, about it and about the harmful effects of institutionalization on persons with disabilities;</p> <p>(d) Ensure the availability of support to live independently and in the community, such as user-led budgets and personalized support, and enable persons with disabilities to exercise choice and control over their lives and to make decisions concerning where and with whom to live, as outlined in general comment No. 5 (2017);</p> <p>(e) Adopt measures to ensure the access of persons with disabilities to affordable and accessible housing on the basis of individual choice and outside any type of congregated premises; (f) Establish a time frame and benchmarks for achieving full accessibility for persons with disabilities to mainstream community services, such as education, health, work and employment.</p> |
| HR      | 2015 | 30. The Committee recommends that the process of deinstitutionalization include all residential institutions and foster homes for all persons with disabilities. It recommends that a legal framework be adopted to provide for entitlement to personal assistance services in the community and that a process be initiated to make local communities and mainstream services accessible to persons with disabilities.  |

| Country   | Year | Recommendations (independent living)   |
|-----------|------|--|
| <b>HU</b> | 2022 | 41. Recalling its general comment No. 5 (2017), the Committee reiterates the recommendations set out in its report on the inquiry concerning Hungary under article 6 of the Optional Protocol to the Convention , urging the State party to: <ul style="list-style-type: none"> <li>(a) Discontinue the institutionalization of children with disabilities and ensure their right to a family life by redirecting investments from institutions into support measures for families and the provision of inclusive community services, such as inclusive early intervention, across the State party;</li> <li>(b) Ensure independent monitoring of the deinstitutionalization of children with disabilities and independent methodological support for that process, with the close involvement of disability rights organizations;</li> <li>(c) Revise its deinstitutionalization strategy with the aim of redefining its objectives;</li> <li>(d) Redesign its measures and redirect its efforts and budgets into community-based support services, including personal assistance, with the aim of providing for persons with disabilities to live independently in the community equally with others, regardless of the type of impairment, guarantee that community services and facilities for the general population are available for persons with disabilities and ensure that persons with disabilities have the opportunity and right to choose their place of residence on an equal basis with others in the community.</li> </ul> |
| <b>IE</b> |      | [Not yet scheduled].   |
| <b>IT</b> | 2016 | 48. The Committee recommends that the State party implement safeguards to retain the right to autonomous independent living across all regions, and redirect resources from institutionalization to community-based services and increase budget support to enable persons with disabilities to live independently across the country and have equal access to services, including personal assistance.  |
| <b>LT</b> | 2016 | 40. The Committee recommends that the State party, in close collaboration with organizations of persons with disabilities: <ul style="list-style-type: none"> <li>(a) Adopt an adequately funded strategy for deinstitutionalization ensuring a range of community-based services for the social inclusion of persons with disabilities, including for children with intellectual and/or psychosocial impairments, including their right to live independently in the community, with the possibility of individualized personal assistance support services in their home;</li> <li>(b) Effectively implement the action plan for the implementation of the national programme for the social integration of persons with disabilities for the period 2013-2019 at all levels of the State;</li> <li>(c) Adopt a moratorium on new admissions of children into institutionalized care;</li> <li>(d) Eliminate excessive waiting time for receiving support services by investing in developing new services and rendering existing services accessible and inclusive and ensure that persons with disabilities have access to sufficient financial resources for independent living and improved access to accessible services in the community.</li> </ul>   |
| <b>LU</b> | 2017 | 37. The Committee recommends that the State party take into account its general comment No. 5 (2017) on living independently and being included in the community, and: <ul style="list-style-type: none"> <li>(a) Adopt the legal and other measures necessary, including repealing Reform Act 7014 and relevant disability insurance systems, replacing them by legislation promoting the right to independent living and being included in the community, providing for, among others, personal assistance and clarifying the responsibilities and resource allocations of central and local authorities;</li> <li>(b) Develop and implement an effective deinstitutionalization plan, with a clear time frame and benchmarks, involving persons with disabilities through their representative organizations in all stages;</li> <li>(c) Adopt the measures necessary to ensure that persons with disabilities have a legal entitlement to a sufficient personal budget for independent living, which takes into account the additional costs related to disability and, at the same time, redirect resources from institutionalization to community-based services, while increasing the availability of personal assistance.</li> </ul>   |
| <b>LV</b> | 2017 | 31. The Committee urges the State party to:  |

| Country   | Year | Recommendations (independent living)  |
|-----------|------|---|
|           |      | <p>(a) Expedite the complete deinstitutionalization of all persons with disabilities within a set time frame in order to close all remaining institutions, both those run by the State and the municipalities, ensuring that residents are not subject to trans-institutionalization;</p> <p>(b) Reinforce the engagement of municipalities in implementing the deinstitutionalization strategy, including through raising awareness about independent community-based living for persons with disabilities and ensuring sustainable provision of services to promote independent living following termination of European structural funds;</p> <p>(c) Ensure the provision of quality personal assistance that takes into account the individual needs of persons with disabilities and ensures their social inclusion and participation.</p>   |
| <b>MT</b> | 2018 | <p>30. The Committee recommends that the State party take into account its general comment No. 5 (2017) and:</p> <p>(a) Ensure that existing residential institutions that contribute to the isolation of persons with disabilities are closed and that the provision of appropriate community-based services is strengthened;</p> <p>(b) Ensure that all projects supported by public funds are carried out in a community setting, do not contribute to isolation of persons with disabilities, are monitored by organizations of persons with disabilities and are provided with sustainable continuous funding;</p> <p>(c) Adopt the legal and other measures, such as the planned bill on personal autonomy and the bill on the Convention, necessary to make article 19 of the Convention justiciable;</p> <p>(d) Ensure that financial and other measures are in place to allow persons with disabilities to be provided with personal assistance and that personnel supporting persons with disabilities in the community are appropriately trained, if necessary.</p>  |
| <b>NL</b> |      | [Not yet scheduled].  |
| <b>PL</b> | 2018 | <p>33. With reference to general comment No. 5 (2017) on living independently and being included in the community, the Committee recommends that the State party:</p> <p>(a) Design and adopt concrete action plans for deinstitutionalization and time-bound transition to independent living schemes for persons with disabilities within the community, and ensure that adequate funding is allocated to this process after the termination of European Union funds allocated specifically to this purpose;</p> <p>(b) Adopt legal frameworks and allocate a sustainable budget for providing persons with disabilities with personal assistance within the framework of individualized and inclusive support arrangements;</p> <p>(c) Ensure the spending of European Union funds allocated to deinstitutionalization on measures that are consistent with the provisions of the Convention, and that such spending is monitored, with the effective participation of persons with disabilities and/or their representative organizations, to ensure that such spending is in line with the requirements of persons with disabilities themselves;</p> <p>(d) Ensure that the term 'community' is translated correctly in the Polish-language version of the Convention.</p> |
| <b>PT</b> | 2016 | <p>39. The Committee recommends that the State party, in close consultation with organizations representing persons with disabilities, adopt a national strategy for living independently, including increased investment to facilitate living independently in the community rather than in institutions, that it regulates personal assistance and that it increases the availability of sign language interpreters and fingerspelling systems in public services. It also urges the State party to establish support services in the community for persons with intellectual or psychosocial disabilities.</p>   |
| <b>RO</b> |      | [Not yet scheduled].  |
| <b>SE</b> | 2014 | <p>44. The Committee recommends that the State party ensure that personal assistance programmes provide sufficient and fair financial assistance to ensure that a person can live independently in the community.</p>   |

| Country | Year | Recommendations (independent living)  |
|---------|------|---|
| SI      | 2018 | <p>48. In the light of the links between article 28 of the Convention and target 1.3 of the Sustainable Development Goals, the Committee recommends that the State party:</p> <p>(a) Ensure the efficiency and effectiveness of social protection and poverty reduction programmes for persons with disabilities, especially persons with psychosocial and/or intellectual disabilities;</p> <p>(b) Restore all support measures curtailed under the austerity policy and prevent any hardship that may be faced by persons with disabilities whose income was reduced as a result of that policy;</p> <p>(c) Ensure the accessibility of public housing for persons with disabilities, disseminate information about available and affordable housing in accessible formats and engage with the private sector with a view to promoting the development of accessible housing units;</p> <p>(d) Implement positive measures to provide taxation relief in respect of pensions and disability insurance for persons with disabilities living in poverty;</p> <p>(e) Recognize the right of persons with disabilities to receive a full disability pension and insurance through the relevant legal and administrative mechanisms;</p> <p>(f) Ensure a dignified and inclusive social protection system for older persons with disabilities.</p> |
| SK      | 2016 | <p>56. The Committee recommends that the State party provide and implement a timetable to ensure that the implementation of the deinstitutionalization process is expedited, including by putting in place specific additional measures to ensure that community-based services are strengthened for all persons with disabilities, in particular women with disabilities and older persons with disabilities. Furthermore, the State party should ensure that the use of European structural and investment funds complies with article 19 and that new follow-up national action plans on the transition from institutional settings to community-based support are initiated with the comprehensive involvement of organizations of persons with disabilities and civil society organizations, including in the area of monitoring. The Committee also recommends that the State party no longer allocate resources from the national budget to institutions and that it reallocates resources into community-based services in accordance with the investment priorities of the European Regional Development Fund (art. 5.9 (a) of European Union regulation No. 1303/2013).</p>   |

#### 4.2.2.3 Health

**Table 21: UN Recommendations to Member States under Article 25 CRPD (health)**

| Country | Year | Recommendations (health)   |
|---------|------|--|
| AT      | 2013 | <p>43. The Committee recommends that greater efforts be made to support students with disabilities in all areas of inclusive education from kindergarten to secondary school. It particularly recommends that the State party ensure that persons with disabilities, including children with disabilities and their representative organisations, are involved in the day-to-day implementation of the inclusive education models introduced in various Länder. The Committee further recommends that greater efforts be made to enable persons with disabilities to study at universities and other tertiary institutions. The Committee also recommends that the State party step up its efforts to provide quality teacher training to teachers with disabilities and teachers with sign language skills, so as to enhance the education of deaf and hearing-impaired girls and boys, in accordance with the formal recognition of Austrian sign language in the Constitution of Austria.</p> |
| BE      | 2014 | <p>37. The Committee requests that the State party implement a coherent inclusive education strategy for children with disabilities in the mainstream system and ensure the provision of adequate financial, material and human resources. It recommends that the State party ensure that children with disabilities receive the educational support they need, in particular through the provision of accessible</p>  |

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|           |      | school environments, reasonable accommodation, individual learning plans, assistive technology in classrooms, and accessible and adapted materials and curricula, and guarantee that all teachers, including teachers with disabilities, receive comprehensive training on the use of Braille and sign language with a view to improving the education of all children with disabilities, including boys and girls who are blind, deaf-blind, deaf or hard of hearing. The Committee also recommends that inclusive education should form an integral part of teacher training at university and during continuing professional development.  |
| <b>BG</b> | 2018 | 50. The Committee recommends that the State party, in accordance with general comment No. 4 (2016) on the right to inclusive education:<br>(a) Replace segregated education systems with quality inclusive education;<br>(b) Raise awareness of the advantages of quality inclusive education for society, in particular for teachers and other education staff, and also for parents of children without disabilities;<br>(c) Intensify its efforts to ensure quality inclusive education and the provision of reasonable accommodation for students with disabilities in mainstream schools, including by allocating sufficient human, technical and financial resources for it;<br>(d) Collect data on the number of children and young people with disabilities not currently enrolled in any form of education, disaggregated by age, sex, type of impairment and place of residence, and develop a strategy to include these children in the mainstream education system. |
| <b>CY</b> | 2017 | 50. The Committee recommends that the State party:<br>(a) Decide upon a clear legislative scope of inclusive education and monitor its implementation with a view to fully replacing segregated education by inclusive education;<br>(b) Adopt a clear, targeted and adequately funded plan of action that includes access to reasonable accommodation and adequate teacher education and training, and progressively ensure that children and adult learners with disabilities are able to exercise their right to inclusive education;<br>(c) Be guided by general comment No. 4 (2016) and targets 4.5 and 4 (a) of the Sustainable Development Goals in ensuring equal access to all levels and types of education, education facilities and vocational training by persons with disabilities.  |
| <b>CZ</b> | 2015 | 48. The Committee recommends that the State party implement the amended School Act, incorporate inclusive education as the guiding principle of the education system and ensure the admission of children with disabilities in mainstream schools, in line with article 24 of the Convention. The Committee calls upon the State party to intensify its efforts and to allocate sufficient financial and human resources for reasonable accommodations that will enable boys and girls with disabilities, including intellectual disabilities and autism, and deaf-blind children, to receive inclusive quality education.  |
| <b>DE</b> | 2015 | 46. The Committee recommends that the State party:<br>(a) Immediately develop a strategy, action plan, timeline and targets to provide access to a high-quality, inclusive education system across all Länder, including the required financial resources and personnel at all levels;<br>(b) Scale down segregated schools to facilitate inclusion and ensure that the law and policies uphold the duty that mainstream schools enrol children with disabilities with immediate effect if that is their choice;<br>(c) Ensure that reasonable accommodation is provided at all levels of education and that the right to such accommodation is legally enforceable and justiciable before the courts;<br>(d) Ensure the training of all teachers in inclusive education, increased accessibility of the school environment, materials and curricula, and the provision of sign language in mainstream schools, including at the post-doctoral level.                           |
| <b>DK</b> | 2014 | 53. The Committee recommends that the State party amend its legislation to ensure the inclusion of all children with disabilities in the mainstream education system, with adequate support and accommodation, in particular through the provision of adequate training to teachers and other employees in the school system in all parts of the Kingdom of Denmark, in order to ensure quality education   |

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|           |      | <p>for pupils with disabilities. The State party should take measures to address discrepancies in accomplishment rates between pupils with and without disabilities at all levels of education.</p> <p>55. The Committee recommends that the State party amend its legislation to ensure that all children with disabilities can submit a complaint to an independent authority if they do not receive adequate educational support.</p>   |
| <b>EE</b> | 2021 | <p>47. Recalling its general comment No. 4 (2016) on the Right to inclusive education and the Sustainable Development Goal 4, target 4.5 and indicator 4 (a), the Committee recommends, that the State party:</p> <p>(a) Develop the strategy for implementing quality inclusive education with specific targets, timelines, budget allocation, and share of responsibilities between national and municipal levels;</p> <p>(b) Establish a policy framework that recognises the right of persons with disabilities to seek, individualized supports as reasonable accommodation in education, when so required;</p> <p>(c) Ensure education is an area of life covered under ant-discrimination and includes the denial of reasonable accommodation as a form of discrimination;</p> <p>(d) Provide students with disabilities with assistive compensatory aids and learning materials in alternative/accessible formats, including inclusive digital access, modes and means of communication, including Easy Read, communication aids and assistive and information technology, and ensure teachers fluent in Estonian Sign Language;</p> <p>(e) Take measures, including the provision of technical equipment, and the adoption of regulations to ensure that children with disabilities receive the individualized support required within the quality and inclusive education system during the COVID-19 pandemic period, especially in rural areas and those facing economic hardship, and guarantee for children with chronic diseases equal access to school.</p> |
| <b>EL</b> | 2019 | <p>5. Recalling its general comment No. 4 (2016) on the right to inclusive education, and taking into account Sustainable Development Goal 4, especially targets 4.5 and 4.a, the Committee recommends that the State party increase its efforts to guarantee inclusive education, and in particular that it:</p> <p>(a) Adopt and implement a coherent strategy on inclusive education in the mainstream educational system;</p> <p>(b) Ensure the accessibility of school and university environments, in line with the Convention, by promoting universal design, the provision of specific measures and individualized support, such as accessible and adapted materials, inclusive curricula, inclusive information and communication technologies for pupils and students with disabilities, and digital pedagogy;</p> <p>(c) Immediately ensure access to formal education for all refugee, asylum-seeking and migrant children with disabilities, and for Roma children with disabilities;</p> <p>(d) Allocate effective and sufficient financial and material resources and adequately and regularly trained personnel, including persons with disabilities, to effectively guarantee inclusive education;</p> <p>(e) Incorporate inclusive education training into higher education curricula for trainee teachers, and into training programmes for current teaching staff, with an adequate budget.</p>  |
| <b>ES</b> | 2011 | <p>44. The Committee reiterates that denial of reasonable accommodation constitutes discrimination and that the duty to provide reasonable accommodation is immediately applicable and not subject to progressive realization. It recommends that the State party:</p> <p>(a) Increase its efforts to provide reasonable accommodation in education, by: allocating sufficient financial and human resources to implement the right to inclusive education; paying particular attention to assessing the availability of teachers with specialist qualifications; and ensuring that educational departments of local governments understand their obligations under the Convention and act in conformity with its provisions;</p> <p>(b) Ensure that the decisions to place children with a disability in a special school or in special classes, or to offer them solely a reduced-standard curriculum, are taken in consultation with the parents;</p>   |

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|           |      | <p>(c) Ensure that the parents of children with disabilities are not obliged to pay for the education or for the measures of reasonable accommodation in mainstream schools;</p> <p>(d) Ensure that decisions on placing children in segregated settings can be appealed swiftly and effectively.</p>  |
| <b>FI</b> |      | [Not yet scheduled].   |
| <b>FR</b> | 2019 | <p>53. Taking into account the links between article 25 of the Convention and targets 3.7 and 3.8 of the Sustainable Development Goals, the Committee recommends that the State party:</p> <p>(a) Ensure priority and equal access for persons with disabilities and their networks to vaccines against COVID-19 and the accessibility of health services for persons with disabilities, particularly by developing public health programmes to reach out to the most marginalized persons with disabilities and by providing accessible transportation to health-care centres, including vaccination centres;</p> <p>(b) Ensure the development of and promote investment in universal design of medical devices, equipment and health-care facilities and reinforce measures to provide persons with disabilities with information about health care in accessible formats;</p> <p>(c) Ensure that plans for recovery include measures to guarantee the access of persons with disabilities to health care, paying particular attention to persons still in institutions and those in penitentiary facilities;</p> <p>(d) Provide women and girls with disabilities with appropriate and accessible sexual and reproductive health care, and consult with organizations of women with disabilities about gaps and measures to ensure progress in this regard;</p> <p>(e) Develop awareness-raising and training programmes, including in health-related higher education curricula, for medical and health administrative staff about diversity and the rights of persons with disabilities, in close cooperation with organizations of persons with disabilities.</p> |
| <b>HR</b> | 2015 | <p>36. The Committee recommends that the State party take immediate steps to ensure that all persons with disabilities have access to inclusive quality primary, secondary and tertiary education and that reasonable accommodation is provided in mainstream education. It also recommends establishing the principle that exclusionary and segregated education is discriminatory. It recommends that teachers and other professionals receive training on inclusive education and that all secondary education facilities be made accessible to persons with disabilities.</p>  |
| <b>HU</b> | 2022 | <p>51. Taking into account the links between article 25 of the Convention and targets 3.7 and 3.8 of the Sustainable Development Goals, the Committee recommends that the State party:</p> <p>(a) Develop action plans to ensure the accessibility and availability of health - care facilities, services and equipment for persons with disabilities across the State Party, with a specific emphasis on the sexual and reproductive health of women with disabilities, as well as on accessible information and communication for autistic persons, persons with intellectual disabilities and persons with visual and hearing impairments in general treatment in the health - care system;</p> <p>(b) Develop training programmes, including in universities and in-service training curricula, for health - care professionals on the needs and rights of persons with disabilities.</p>  |
| <b>IE</b> |      | [Not yet scheduled].   |
| <b>IT</b> | 2016 | <p>56. The Committee recommends that the State party implement an action plan – with sufficient resources, timelines and specific goals – aimed at monitoring the implementation of laws, decrees and regulations to improve the quality of inclusive education in classrooms, support provisions and teacher training across all levels. It also recommends that the State party be guided by article 24 of the Convention, including its general comment No. 4 (2016) on the right to inclusive education, in implementing targets 4.5 and 4 (a) of the Sustainable Development Goals, to ensure equal access to all levels of education and vocational training, and build and upgrade education facilities that are disability-sensitive and safe.</p> <p>58. The Committee recommends that the State party monitor and provide highly qualified sign language interpreters for any deaf child who requests such</p>   |

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|           |      | assistance, and to desist from recommending general communication assistants as an exclusive alternative. <sup>60</sup> The committee recommends that the State party undertake, through legislative and other measures, including the newly drafted decree on education, to guarantee the availability of accessible learning materials and the provision of assistive technology in a timely manner in order to ensure inclusive and quality education in the mainstream setting.  |
| <b>LT</b> | 2016 | <p>46. The Committee recommends that the State party adopt and implement a coherent strategy on inclusive education in the mainstream educational system in accordance with article 24 of the Convention and with reference to Sustainable Development Goal 4, especially its targets 4.5 and 4.8. Through such a strategy, the State party should:</p> <p>(a) Ensure the accessibility of school environments, the provision of reasonable accommodation, accessible and adapted materials and curricula, and the compulsory pre-service and in-service training of all teachers on inclusive education;</p> <p>(b) Secure a sufficient number of accessible means of transport to accommodate the needs of students with disabilities;</p> <p>(c) Set clear timelines, targets, baselines and indicators to secure time-bound and measurable progress;</p> <p>(d) Allocate effective and adequate financial, material and adequately trained human resources.</p> <p>47. The Committee recommends that the State party guarantee a legally enforceable right to inclusive, quality and free primary education and to affordable secondary education on an equal basis with others.</p> <p>48. The Committee also recommends that the State party facilitate access for persons with disabilities to tertiary education and vocational training, including through the provision of reasonable accommodation in higher education.</p>                                 |
| <b>LU</b> | 2017 | <p>43. Recalling its general comment No. 4 (2016) on the right to inclusive education and Sustainable Development Goal 4, especially its targets 4.5 and 4.8, the Committee recommends that the State party:</p> <p>(a) Amend the laws on education to ensure that no student is refused admission to mainstream schools on the basis of disability, ensure accessibility and allocate the resources necessary to guarantee reasonable accommodation, including assistant support staff, including pre-school and tertiary education and the private sector;</p> <p>(b) Adopt a legally defined procedure for the provision of reasonable accommodation at all levels of education and allocate the resources necessary to guarantee reasonable accommodation according to individual requirements in consultation with the person concerned;</p> <p>(c) Design and implement an action plan on inclusive education with sufficient resources, timelines and specific goals;</p> <p>(d) Increase awareness-raising initiatives, including training on inclusive education and its implementation mandatory for teachers, support teachers and non-teaching education personnel;</p> <p>(e) Increase data collection on, among others, the implementation of education laws and policies, and accessibility of school infrastructures, information and communications, including information and communications technology, to inform inclusive education policies.</p> |
| <b>LV</b> | 2017 | <p>41. Recalling its general comment No. 4 (2016) on the right to inclusive education and Sustainable Development Goal 4, especially targets 4.5 and 4 (a) thereof, the Committee urges the State party to ensure that no child is refused admission to mainstream schools on the basis of disability, and that it further allocate the resources necessary to guarantee reasonable accommodation to facilitate the accessibility of all students with disabilities to quality, inclusive education, including in preschool, tertiary and lifelong learning institutions.</p>  |
| <b>MT</b> | 2018 | <p>36. Recalling its general comment No. 4 (2016) on the right to inclusive education and Goal 4 of the Sustainable Development Goals, especially targets 4.5 and 4.a, the Committee recommends that the State party:</p>  |

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|           |      | <p>(a) Ensure the implementation of its laws on education, and accelerate the adoption process of the bill on the Convention, to ensure that violations of the rights under article 24 of the Convention become justiciable in the State party;</p> <p>(b) Adopt measures to ensure that students with disabilities, including students with intellectual or psychosocial disabilities, are provided with reasonable accommodation at all levels of education, and allocate the resources necessary to guarantee reasonable accommodation according to individual requirements in consultation with the person concerned, including the provision of learning support educators and their replacements when they are absent;</p> <p>(c) Ensure accessible mechanisms for accountability and redress in cases in which educational institutions, such as childcare centres and summer schools, or teachers discriminate against students on the basis of their disability;</p> <p>(d) Review the curriculum of students with disabilities through individualized education plans to ensure that the curricula allow them to learn the skills required to access the job market on an equal basis with others;</p> <p>(e) Carry out research on the extent to which accessibility standards are being complied with in the State party to obtain a full understanding of the barriers persons with disabilities face in the education system and the solutions required to enable their full participation, and to make research findings on the socioeconomic and cultural benefits of inclusive education available to all relevant stakeholders.</p> |
| <b>NL</b> |      | [Not yet scheduled].  |
| <b>PL</b> | 2018 | <p>42. Recalling its general comment No. 4 (2016) on the right to inclusive education and Sustainable Development Goal 4, targets 4.5 and 4 (a), the Committee recommends that the State party:</p> <p>(a) Enact specific provisions to support the implementation of reasonable accommodation, individualized learning curriculum and inclusive classroom teaching in accessible learning environments;</p> <p>(b) Support measures for schools, including support for teachers, to advance inclusive education for students with moderate or severe disabilities;</p> <p>(c) Raise awareness among parents of non-disabled children about the advantages of inclusive education for all, and provide training for school masters and teachers on inclusive education methods and best practices.</p>  |
| <b>PT</b> | 2016 | <p>45. The Committee recommends that the State party, in close consultation with organizations representing persons with disabilities, review its legislation on education to bring it into line with the Convention and take measures to provide additional resources and materials to facilitate access to and enjoyment of inclusive education of high quality for all students with disabilities, providing public schools with the resources they need to ensure the inclusion of all students with disabilities in ordinary classrooms.</p> <p>46. The Committee recommends that the State party consider the relationship between article 24 of the Convention and targets 4.5 and 4.a of the Sustainable Development Goals to ensure equal access to all levels of education and vocational training, as well as to build and upgrade education facilities to make them disability-sensitive and safe.</p> <p>48. The Committee recommends that the State party introduce in its legislation regulations on the access of students with disabilities to higher education and vocational training on an equal basis with other students, while providing reasonable accommodation and the required support services.</p>   |
| <b>RO</b> |      | [Not yet scheduled].  |
| <b>SE</b> | 2014 | 48. The Committee urges the State party to guarantee the inclusion of all children with disabilities in the mainstream education system and ensure that they have the required support.   |
| <b>SI</b> | 2018 | <p>40. Recalling its general comment No. 4 (2016) on the right to inclusive education and targets 4.5 and 4.a of the Sustainable Development Goals, the Committee recommends that the State party:</p> <p>(a) Recognize the right of all children with disabilities to inclusive education and abandon segregated education schemes;</p>  |

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|           |      | <p>(b) Adopt a strategy and action plan with a clear time frame for the implementation of inclusive education at all levels for all children with disabilities and, further, establish a comprehensive monitoring system to assess the progress of inclusive education;</p> <p>(c) Strengthen the capacity of inclusive schools to train teachers in inclusive education, curriculum accommodation and teaching methods. The State party should enhance the quality of educational support by adopting an individualized approach to children with disabilities and their capacity-building;</p> <p>(d) Provide lifelong learning for persons with disabilities and ensure accessibility and reasonable accommodation in all tertiary education institutions, including vocational and higher education schools; (e) Provide transport services for students with disabilities from their place of residence to their education facilities.</p>  |
| <b>SK</b> | 2016 | <p>68. The Committee recommends that the State party pay attention to the links between article 24 of the Convention and targets 4.5 and 4 (a) of the Sustainable Development Goals. The Committee also recommends that the State party:</p> <p>(a) Introduce an enforceable right to inclusive and quality education in the Education Act, including by defining inclusive education in accordance with the Incheon Declaration on education 2030: towards inclusive and equitable quality education and lifelong learning for all of the United Nations Educational, Scientific and Cultural Organization, and Sustainable Development Goal No. 4;</p> <p>(b) Adopt a legally binding plan for the transition from segregated schools into inclusive education at all levels, including by setting timelines, identifying responsible authorities, and allocating adequate resources;</p> <p>(c) Ensure that all children with disabilities who so require have access to personal assistance and allocate resources for this purpose;</p> <p>(d) Ensure available, accessible and inclusive preschool education for all children with disabilities;</p> <p>(e) Put an end to the process of placing Roma children in segregated schools for children with disabilities on the basis of their ethnic background.</p> |

### 4.2.3 Recommendations relevant to education and training

Article 24 CRPD recognises the equal right of all persons with disabilities to education, without discrimination, in an inclusive educational system. In summary this entails commitments made by the EU and its Member States, to:

- inclusive education: States must ensure that persons with disabilities have access to an inclusive, quality, and free primary and secondary education, as well as vocational training, without discrimination and on an equal basis with others;
- accessibility: States must ensure that education is accessible to persons with disabilities and provide reasonable accommodations and support to ensure they can fully participate in the educational system;
- non-discrimination: Persons with disabilities should not be excluded from the general education system or discriminated against on the basis of disability;
- individualized support: States must ensure that persons with disabilities have access to the necessary individualized support to facilitate their effective education, which may include providing assistive technologies, sign language interpreters, or personal assistance;
- inclusive environment: States must ensure that the learning environment is inclusive, safe, and conducive to effective learning, and promote the participation of persons with disabilities in extracurricular activities;

- lifelong learning: States must promote lifelong learning opportunities for persons with disabilities and provide access to continuing education and training programs; and
- training for professionals: States must ensure that professionals working in the field of education receive appropriate training on inclusive education, disability awareness, and the use of accessible formats and technologies.

**Table 22: UN Recommendations to Member States under Article 24 CRPD (education)**

| Country | Year | Recommendations (education)   |
|---------|------|---|
| AT      | 2013 | 43. The Committee recommends that greater efforts be made to support students with disabilities in all areas of inclusive education from kindergarten to secondary school. It particularly recommends that the State party ensure that persons with disabilities, including children with disabilities and their representative organizations, are involved in the day-to-day implementation of the inclusive education models introduced in various Länder. The Committee further recommends that greater efforts be made to enable persons with disabilities to study at universities and other tertiary institutions. The Committee also recommends that the State party step up its efforts to provide quality teacher training to teachers with disabilities and teachers with sign language skills, so as to enhance the education of deaf and hearing-impaired girls and boys, in accordance with the formal recognition of Austrian sign language in the Constitution of Austria.   |
| BE      | 2014 | 37. The Committee requests that the State party implement a coherent inclusive education strategy for children with disabilities in the mainstream system and ensure the provision of adequate financial, material and human resources. It recommends that the State party ensure that children with disabilities receive the educational support they need, in particular through the provision of accessible school environments, reasonable accommodation, individual learning plans, assistive technology in classrooms, and accessible and adapted materials and curricula, and guarantee that all teachers, including teachers with disabilities, receive comprehensive training on the use of Braille and sign language with a view to improving the education of all children with disabilities, including boys and girls who are blind, deaf-blind, deaf or hard of hearing. The Committee also recommends that inclusive education should form an integral part of teacher training at university and during continuing professional development. |
| BG      | 2018 | 50. The Committee recommends that the State party, in accordance with general comment No. 4 (2016) on the right to inclusive education: <ul style="list-style-type: none"> <li>(a) Replace segregated education systems with quality inclusive education;</li> <li>(b) Raise awareness of the advantages of quality inclusive education for society, in particular for teachers and other education staff, and also for parents of children without disabilities;</li> <li>(c) Intensify its efforts to ensure quality inclusive education and the provision of reasonable accommodation for students with disabilities in mainstream schools, including by allocating sufficient human, technical and financial resources for it;</li> <li>(d) Collect data on the number of children and young people with disabilities not currently enrolled in any form of education, disaggregated by age, sex, type of impairment and place of residence, and develop a strategy to include these children in the mainstream education system.</li> </ul>            |
| CY      | 2017 | 50. The Committee recommends that the State party: <ul style="list-style-type: none"> <li>(a) Decide upon a clear legislative scope of inclusive education and monitor its implementation with a view to fully replacing segregated education by inclusive education;</li> <li>(b) Adopt a clear, targeted and adequately funded plan of action that includes access to reasonable accommodation and adequate teacher education and</li> </ul>  |

| Country   | Year | Recommendations (education)  |
|-----------|------|--|
|           |      | training, and progressively ensure that children and adult learners with disabilities are able to exercise their right to inclusive education;<br>(c) Be guided by general comment No. 4 (2016) and targets 4.5 and 4 (a) of the Sustainable Development Goals in ensuring equal access to all levels and types of education, education facilities and vocational training by persons with disabilities.   |
| <b>CZ</b> | 2015 | 48. The Committee recommends that the State party implement the amended School Act, incorporate inclusive education as the guiding principle of the education system and ensure the admission of children with disabilities in mainstream schools, in line with article 24 of the Convention. The Committee calls upon the State party to intensify its efforts and to allocate sufficient financial and human resources for reasonable accommodations that will enable boys and girls with disabilities, including intellectual disabilities and autism, and deaf-blind children, to receive inclusive quality education.   |
| <b>DE</b> | 2015 | 46. The Committee recommends that the State party:<br>(a) Immediately develop a strategy, action plan, timeline and targets to provide access to a high-quality, inclusive education system across all Länder, including the required financial resources and personnel at all levels;<br>(b) Scale down segregated schools to facilitate inclusion and ensure that the law and policies uphold the duty that mainstream schools enrol children with disabilities with immediate effect if that is their choice;<br>(c) Ensure that reasonable accommodation is provided at all levels of education and that the right to such accommodation is legally enforceable and justiciable before the courts;<br>(d) Ensure the training of all teachers in inclusive education, increased accessibility of the school environment, materials and curricula, and the provision of sign language in mainstream schools, including at the post-doctoral level.  |
| <b>DK</b> | 2014 | 53. The Committee recommends that the State party amend its legislation to ensure the inclusion of all children with disabilities in the mainstream education system, with adequate support and accommodation, in particular through the provision of adequate training to teachers and other employees in the school system in all parts of the Kingdom of Denmark, in order to ensure quality education for pupils with disabilities. The State party should take measures to address discrepancies in accomplishment rates between pupils with and without disabilities at all levels of education.<br>55. The Committee recommends that the State party amend its legislation to ensure that all children with disabilities can submit a complaint to an independent authority if they do not receive adequate educational support.  |
| <b>EE</b> | 2021 | 47. Recalling its general comment No. 4 (2016) on the Right to inclusive education and the Sustainable Development Goal 4, target 4.5 and indicator 4 (a), the Committee recommends, that the State party:<br>(a) Develop the strategy for implementing quality inclusive education with specific targets, timelines, budget allocation, and share of responsibilities between national and municipal levels;<br>(b) Establish a policy framework that recognises the right of persons with disabilities to seek, individualized supports as reasonable accommodation in education, when so required;<br>(c) Ensure education is an area of life covered under ant-discrimination and includes the denial of reasonable accommodation as a form of discrimination;<br>(d) Provide students with disabilities with assistive compensatory aids and learning materials in alternative/accessible formats, including inclusive digital access, modes and means of communication, including Easy Read, communication aids and assistive and information technology, and ensure teachers fluent in Estonian Sign Language;<br>(e) Take measures, including the provision of technical equipment, and the adoption of regulations to ensure that children with disabilities receive the individualized support required within the quality and inclusive education |

| Country   | Year | Recommendations (education)   |
|-----------|------|---|
|           |      | system during the COVID-19 pandemic period, especially in rural areas and those facing economic hardship, and guarantee for children with chronic diseases equal access to school.  |
| <b>EL</b> | 2019 | <p>5. Recalling its general comment No. 4 (2016) on the right to inclusive education, and taking into account Sustainable Development Goal 4, especially targets 4.5 and 4.a, the Committee recommends that the State party increase its efforts to guarantee inclusive education, and in particular that it:</p> <p>(a) Adopt and implement a coherent strategy on inclusive education in the mainstream educational system;</p> <p>(b) Ensure the accessibility of school and university environments, in line with the Convention, by promoting universal design, the provision of specific measures and individualized support, such as accessible and adapted materials, inclusive curricula, inclusive information and communication technologies for pupils and students with disabilities, and digital pedagogy;</p> <p>(c) Immediately ensure access to formal education for all refugee, asylum-seeking and migrant children with disabilities, and for Roma children with disabilities;</p> <p>(d) Allocate effective and sufficient financial and material resources and adequately and regularly trained personnel, including persons with disabilities, to effectively guarantee inclusive education;</p> <p>(e) Incorporate inclusive education training into higher education curricula for trainee teachers, and into training programmes for current teaching staff, with an adequate budget.</p> |
| <b>ES</b> | 2011 | <p>44. The Committee reiterates that denial of reasonable accommodation constitutes discrimination and that the duty to provide reasonable accommodation is immediately applicable and not subject to progressive realization. It recommends that the State party:</p> <p>(a) Increase its efforts to provide reasonable accommodation in education, by: allocating sufficient financial and human resources to implement the right to inclusive education; paying particular attention to assessing the availability of teachers with specialist qualifications; and ensuring that educational departments of local governments understand their obligations under the Convention and act in conformity with its provisions;</p> <p>(b) Ensure that the decisions to place children with a disability in a special school or in special classes, or to offer them solely a reduced-standard curriculum, are taken in consultation with the parents;</p> <p>(c) Ensure that the parents of children with disabilities are not obliged to pay for the education or for the measures of reasonable accommodation in mainstream schools;</p> <p>(d) Ensure that decisions on placing children in segregated settings can be appealed swiftly and effectively.</p>  |
| <b>FI</b> |      | [Not yet scheduled].  |
| <b>FR</b> | 2019 | <p>51. The Committee recalls its general comment No. 4 (2016) on the right to inclusive education and targets 4.5 and 4.a of the Sustainable Development Goals, and recommends that the State party strengthen measures to attain quality, inclusive education for all children with disabilities, including in the overseas territories. The State party should promptly implement the recommendations issued by the Special Rapporteur on the rights of persons with disabilities in this regard. The Committee also recommends that the State party:</p> <p>(a) Develop systems to collect data on children with disabilities disaggregated by age, place of residence, sex and ethnic background, including information about the percentage of enrolment in and attendance at school, and ensure that Roma, asylum-seeking and refugee children with disabilities and children with disabilities who are in an irregular migration situation have effective access to education;</p> <p>(b) Adopt systems for parents and legal tutors to complain and seek redress in cases of refusal to admit their children to a school on the basis of disability;</p>  |

| Country | Year      | Recommendations (education)  |
|---------|-----------|--|
|         |           | <p>(c) Develop a framework recognizing the right of children with disabilities to seek individualized support through the provision of reasonable accommodation to meet their individual educational requirements, including accommodations in the context of examinations for children with disabilities, particularly autistic children and children with Down syndrome;</p> <p>(d) Adopt programmes at the municipal level and involving public and private actors to provide support for children with disabilities in the context of the COVID-19 pandemic;</p> <p>(e) Ensure that education in French Sign Language is provided at early stages of education and promote the deaf culture in inclusive educational environments;</p> <p>(f) Ensure the effective learning, teaching and use of Braille and Easy Read for persons who are blind and visually impaired and persons with intellectual disabilities;</p> <p>(g) Take measures to eliminate abuse against and bullying of children with disabilities in schools;</p> <p>(h) Adopt programmes with specific goals and time frames in order to promote the access of persons with disabilities to higher education, ensuring that young persons with disabilities can seek individualized support through the provision of reasonable accommodation in tertiary education, including to facilitate their international mobility, and access to sign languages.</p>  |
| HR      | 2015      | <p>36. The Committee recommends that the State party take immediate steps to ensure that all persons with disabilities have access to inclusive quality primary, secondary and tertiary education and that reasonable accommodation is provided in mainstream education. It also recommends establishing the principle that exclusionary and segregated education is discriminatory. It recommends that teachers and other professionals receive training on inclusive education and that all secondary education facilities be made accessible to persons with disabilities.</p>  |
| HU      | 2012-2022 | <p>49. Recalling its general comment No. 4 (2016) and target 4.5 and indicator 4.a of the Sustainable Development Goals, the Committee recommends that the State party:</p> <p>(a) Revise its Public Education Act with the aim of eliminating all discriminatory provisions regarding the education of children with disabilities and explicitly provide for quality inclusive education to ensure that no child with disabilities is excluded from the general education system on the basis of impairment;</p> <p>(b) Ensure access to the general education system in the community and provide the necessary reasonable accommodations for all children with disabilities on an equal basis with other children;</p> <p>(c) Guarantee access to regular education facilities and transportation for children with physical disabilities in their communities across the State party;</p> <p>(d) Provide comprehensive and focused training for general education teachers and administrative staff on the principles and methods of inclusive education, the capacities of children with disabilities and the individualized support measures required by children with disabilities;</p> <p>(e) Provide access to the general education for deaf and hard-of-hearing children and promote bilingual education opportunities within an inclusive educational setting, particularly through quality sign language and other support that is required;</p> <p>(f) Ensure the accessibility of regular vocational education facilities and programmes for all children with disabilities, particularly for autistic children and children with intellectual disabilities, through measures of universal design and reasonable accommodation;</p> <p>(g) Take measures aimed at ensuring access to inclusive, high-quality and free primary, secondary and vocational education for children with disabilities, including Roma children, on an equal basis with others.</p> <p>41. The Committee calls upon the State party to allocate sufficient resources for the development of an inclusive education system for children with</p> |

| Country   | Year | Recommendations (education)   |
|-----------|------|---|
|           |      | <p>disabilities. It reiterates that denial of reasonable accommodation constitutes discrimination and recommends that the State party significantly increase its efforts to: provide reasonable accommodation to children with disabilities based on the student's individual requirements; provide students with disabilities with the required support within the general education system; and to continue training teachers and all other educational staff to enable them to work in inclusive educational settings.</p> <p>42. The Committee urges the State party to develop programmes to ensure that Roma children with disabilities are included in mainstream education programmes, without disregarding the provision of reasonable accommodation that might be needed to obtain the desired outcome.</p>   |
| <b>IE</b> |      | [Not yet scheduled].  |
| <b>IT</b> | 2016 | <p>56. The Committee recommends that the State party implement an action plan – with sufficient resources, timelines and specific goals – aimed at monitoring the implementation of laws, decrees and regulations to improve the quality of inclusive education in classrooms, support provisions and teacher training across all levels. It also recommends that the State party be guided by article 24 of the Convention, including its general comment No. 4 (2016) on the right to inclusive education, in implementing targets 4.5 and 4 (a) of the Sustainable Development Goals, to ensure equal access to all levels of education and vocational training, and build and upgrade education facilities that are disability-sensitive and safe.</p> <p>58. The Committee recommends that the State party monitor and provide highly qualified sign language interpreters for any deaf child who requests such assistance, and to desist from recommending general communication assistants as an exclusive alternative.</p> <p>60. The committee recommends that the State party undertake, through legislative and other measures, including the newly drafted decree on education, to guarantee the availability of accessible learning materials and the provision of assistive technology in a timely manner in order to ensure inclusive and quality education in the mainstream setting.</p>   |
| <b>LT</b> | 2016 | <p>46. The Committee recommends that the State party adopt and implement a coherent strategy on inclusive education in the mainstream educational system in accordance with article 24 of the Convention and with reference to Sustainable Development Goal 4, especially its targets 4.5 and 4.8. Through such a strategy, the State party should:</p> <ul style="list-style-type: none"> <li>(a) Ensure the accessibility of school environments, the provision of reasonable accommodation, accessible and adapted materials and curricula, and the compulsory pre-service and in-service training of all teachers on inclusive education;</li> <li>(b) Secure a sufficient number of accessible means of transport to accommodate the needs of students with disabilities;</li> <li>(c) Set clear timelines, targets, baselines and indicators to secure time-bound and measurable progress;</li> <li>(d) Allocate effective and adequate financial, material and adequately trained human resources.</li> </ul> <p>47. The Committee recommends that the State party guarantee a legally enforceable right to inclusive, quality and free primary education and to affordable secondary education on an equal basis with others.</p> <p>48. The Committee also recommends that the State party facilitate access for persons with disabilities to tertiary education and vocational training, including through the provision of reasonable accommodation in higher education.</p> |
| <b>LU</b> | 2017 | <p>43. Recalling its general comment No. 4 (2016) on the right to inclusive education and Sustainable Development Goal 4, especially its targets 4.5 and 4.8, the Committee recommends that the State party:</p> <ul style="list-style-type: none"> <li>(a) Amend the laws on education to ensure that no student is refused admission to mainstream schools on the basis of disability, ensure accessibility and allocate the resources necessary to guarantee reasonable accommodation,</li> </ul>  |

| Country   | Year | Recommendations (education)   |
|-----------|------|---|
|           |      | <p>including assistant support staff, including pre-school and tertiary education and the private sector;</p> <p>(b) Adopt a legally defined procedure for the provision of reasonable accommodation at all levels of education and allocate the resources necessary to guarantee reasonable accommodation according to individual requirements in consultation with the person concerned;</p> <p>(c) Design and implement an action plan on inclusive education with sufficient resources, timelines and specific goals;</p> <p>(d) Increase awareness-raising initiatives, including training on inclusive education and its implementation mandatory for teachers, support teachers and non-teaching education personnel;</p> <p>(e) Increase data collection on, among others, the implementation of education laws and policies, and accessibility of school infrastructures, information and communications, including information and communications technology, to inform inclusive education policies.</p>   |
| <b>LV</b> | 2017 | <p>41. Recalling its general comment No. 4 (2016) on the right to inclusive education and Sustainable Development Goal 4, especially targets 4.5 and 4 (a) thereof, the Committee urges the State party to ensure that no child is refused admission to mainstream schools on the basis of disability, and that it further allocate the resources necessary to guarantee reasonable accommodation to facilitate the accessibility of all students with disabilities to quality, inclusive education, including in preschool, tertiary and lifelong learning institutions.</p>   |
| <b>MT</b> | 2018 | <p>36. Recalling its general comment No. 4 (2016) on the right to inclusive education and Goal 4 of the Sustainable Development Goals, especially targets 4.5 and 4.a, the Committee recommends that the State party:</p> <p>(a) Ensure the implementation of its laws on education, and accelerate the adoption process of the bill on the Convention, to ensure that violations of the rights under article 24 of the Convention become justiciable in the State party;</p> <p>(b) Adopt measures to ensure that students with disabilities, including students with intellectual or psychosocial disabilities, are provided with reasonable accommodation at all levels of education, and allocate the resources necessary to guarantee reasonable accommodation according to individual requirements in consultation with the person concerned, including the provision of learning support educators and their replacements when they are absent;</p> <p>(c) Ensure accessible mechanisms for accountability and redress in cases in which educational institutions, such as childcare centres and summer schools, or teachers discriminate against students on the basis of their disability;</p> <p>(d) Review the curriculum of students with disabilities through individualized education plans to ensure that the curricula allow them to learn the skills required to access the job market on an equal basis with others;</p> <p>(e) Carry out research on the extent to which accessibility standards are being complied with in the State party to obtain a full understanding of the barriers persons with disabilities face in the education system and the solutions required to enable their full participation, and to make research findings on the socioeconomic and cultural benefits of inclusive education available to all relevant stakeholders.</p> |
| <b>NL</b> |      | [Not yet scheduled].  |
| <b>PL</b> | 2018 | <p>42. Recalling its general comment No. 4 (2016) on the right to inclusive education and Sustainable Development Goal 4, targets 4.5 and 4 (a), the Committee recommends that the State party:</p> <p>(a) Enact specific provisions to support the implementation of reasonable accommodation, individualized learning curriculum and inclusive classroom teaching in accessible learning environments;</p> <p>(b) Support measures for schools, including support for teachers, to advance inclusive education for students with moderate or severe disabilities;</p>   |

| Country   | Year | Recommendations (education)  |
|-----------|------|--|
|           |      | (c) Raise awareness among parents of non-disabled children about the advantages of inclusive education for all, and provide training for school masters and teachers on inclusive education methods and best practices.  |
| <b>PT</b> | 2016 | <p>45. The Committee recommends that the State party, in close consultation with organizations representing persons with disabilities, review its legislation on education to bring it into line with the Convention and take measures to provide additional resources and materials to facilitate access to and enjoyment of inclusive education of high quality for all students with disabilities, providing public schools with the resources they need to ensure the inclusion of all students with disabilities in ordinary classrooms.</p> <p>46. The Committee recommends that the State party consider the relationship between article 24 of the Convention and targets 4.5 and 4.a of the Sustainable Development Goals to ensure equal access to all levels of education and vocational training, as well as to build and upgrade education facilities to make them disability-sensitive and safe.</p> <p>48. The Committee recommends that the State party introduce in its legislation regulations on the access of students with disabilities to higher education and vocational training on an equal basis with other students, while providing reasonable accommodation and the required support services.</p>  |
| <b>RO</b> |      | [Not yet scheduled].   |
| <b>SE</b> | 2014 | 48. The Committee urges the State party to guarantee the inclusion of all children with disabilities in the mainstream education system and ensure that they have the required support.  |
| <b>SI</b> | 2018 | <p>40. Recalling its general comment No. 4 (2016) on the right to inclusive education and targets 4.5 and 4.a of the Sustainable Development Goals, the Committee recommends that the State party:</p> <p>(a) Recognize the right of all children with disabilities to inclusive education and abandon segregated education schemes;</p> <p>(b) Adopt a strategy and action plan with a clear time frame for the implementation of inclusive education at all levels for all children with disabilities and, further, establish a comprehensive monitoring system to assess the progress of inclusive education;</p> <p>(c) Strengthen the capacity of inclusive schools to train teachers in inclusive education, curriculum accommodation and teaching methods. The State party should enhance the quality of educational support by adopting an individualized approach to children with disabilities and their capacity-building;</p> <p>(d) Provide lifelong learning for persons with disabilities and ensure accessibility and reasonable accommodation in all tertiary education institutions, including vocational and higher education schools; (e) Provide transport services for students with disabilities from their place of residence to their education facilities.</p> |
| <b>SK</b> | 2016 | <p>68. The Committee recommends that the State party pay attention to the links between article 24 of the Convention and targets 4.5 and 4 (a) of the Sustainable Development Goals. The Committee also recommends that the State party:</p> <p>(a) Introduce an enforceable right to inclusive and quality education in the Education Act, including by defining inclusive education in accordance with the Incheon Declaration on education 2030: towards inclusive and equitable quality education and lifelong learning for all of the United Nations Educational, Scientific and Cultural Organization, and Sustainable Development Goal No. 4;</p> <p>(b) Adopt a legally binding plan for the transition from segregated schools into inclusive education at all levels, including by setting timelines, identifying responsible authorities, and allocating adequate resources;</p> <p>(c) Ensure that all children with disabilities who so require have access to personal assistance and allocate resources for this purpose;</p> <p>(d) Ensure available, accessible and inclusive preschool education for all children with disabilities;</p>   |

| Country | Year | Recommendations (education)  |
|---------|------|--|
|         |      | (e) Put an end to the process of placing Roma children in segregated schools for children with disabilities on the basis of their ethnic background. |

## 5 Situation and trend analysis

EU-SILC microdata for analysis of the situation of persons with disabilities in the EU are time-lagged. The most recent data provided a snapshot of data collected during the COVID-19 crisis in 2021. The method and timing of data collection was impacted in some Member States in 2020, when there was a break in time series for some countries. This presents some challenges for trend analysis due to the exceptional circumstances of the crisis, and its impact on outcomes (such as estimated rates of employment or poverty risk). Some caution should be attached to the interpretation of these data (particularly in interpreting unexpected changes or anomalies).

### 5.1 A note on the use of EU data

Unless specified, the summary statistics presented in this report are drawn from EU-SILC micro data<sup>117</sup> or from corresponding statistics published in the Eurostat health database.<sup>118</sup> The EU-SILC sample includes people living in private households and does not include people living in institutions. The proxy used to identify persons with disabilities (impairments) is whether ‘for at least the past 6 months’ the respondent reports that they have been ‘limited because of a health problem in activities people usually do’.<sup>119</sup> Response rates to this question vary between countries and national data sources are added in the country reports for comparison, or context, where available. These methodological issues are analysed and explained in statistical reports published by ANED from 2008 to 2019<sup>120</sup> and in EDE statistical reports since 2021.<sup>121</sup> The underpinning concepts and implementation are also explained on the Eurostat web pages.<sup>122</sup>

The Scorecard indicators for the ‘disability employment gap’, quoted in the Commission Country Reports, are also based on data from EU-SILC as an interim measure, pending the availability of disability data from the EU Labour Force Survey (EU-LFS). The opportunities for disability equality analysis in future Semester cycles will be greatly enhanced when this is available.

The data definitions used by Eurostat to indicate persons at risk of poverty or social exclusion (AROPE) were revised in 2021. This means that indicators based on the most recent datasets are not wholly comparable with those cited in previous reports (including previous versions of this report in 2021 and 2022). In summary, the list of items used to indicate material deprivation was updated and the age range used to

<sup>117</sup> EU-SILC 2020, Release April 2022 (Extracted on 14-04-2022). These data cover 25 Member States. <https://ec.europa.eu/eurostat/data/database>.

<sup>118</sup> See: <https://ec.europa.eu/eurostat/web/health/database>.

<sup>119</sup> The SILC survey questions are contained in the Minimum European Health Module (MEHM), [http://epp.eurostat.ec.europa.eu/statistics\\_explained/index.php/Glossary:Minimum\\_European\\_Health\\_Module\\_\(MEHM\)](http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Glossary:Minimum_European_Health_Module_(MEHM)).

<sup>120</sup> Academic Network of European Disability Experts (2020) *Statistical indicators* <http://www.disability-europe.net/theme/statistical-indicators>.

<sup>121</sup> European Disability Expertise (EDE) (2021) European comparative data on Europe 2020 and persons with disabilities, Labour market, education, poverty and health, analysis and trends, statistical report including EU SILC data 2020 (not yet published).

<sup>122</sup> Eurostat (2015) *Disability statistics introduced*, [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability\\_statistics\\_introduced](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Disability_statistics_introduced).

indicate low work intensity was increased to match definitions of working age. These changes are explained on the Eurostat website.<sup>123</sup>

The tables and charts here show the most recent data available for EU27. In most cases, this requires analysis of microdata that is two years old (e.g. presenting estimates based on EU-SILC 2021 microdata published in 2023). In some cases, more recent statistics are available from Eurostat (notably for estimates of poverty or social exclusion). This allows for a closer alignment with Commission analyses during the Semester. The provisional release of microdata is not always complete. For example, the 2020 dataset used to update this report in 2022 did not include the microdata for Germany and Italy, the two largest Member States, which also affected estimation of EU27 averages. The 2021 microdata available in April 2023 were more complete, although with some missing data on severity of impairment for Germany (for which 2020 data were used) and no data for Slovakia (2020 data were used by EDE).

More than one quarter of the EU population, and more than half those aged 65 and over, report limitations in the activities that people normally do and may therefore be considered as disabled to greater or lesser degree. This estimate represents a total of 120 million adults with disabilities in 2022, which is larger than the total population of any EU Member State. Of these, more than 30 million report severe limitations.

Disability prevalence data is routinely published by Eurostat, and included estimations for all 27 Member States in 2022 (provisional data for Spain and Cyprus).<sup>124</sup> On this measure, persons with disabilities now make up more than one quarter of the EU adult population (27 %) and more than one half of the population aged 65 and over (52 %). In 2022, more than one in five of the general EU population was aged 65 and over and more than half the population aged above 44 years. Since the rate of onset of impairment tends to increase from mid-adulthood, and is increasingly prevalent in old age, demographic ageing trends also signal the likelihood of further increases in the overall proportion of the population who may experience disability.<sup>125</sup>

Past data showed the long-term increase in the overall proportion of the EU population, aged over 16 and living in private households, who report ‘activity limitations’. This pattern reflected demographic trends prior to the full impact of the COVID-19 crisis in 2020 and 2021, and prior to the subsequent influx of refugee populations from Ukraine in 2022. These events may have affected the age distribution in some Member States more than others. On the one hand, persons with disabilities were notably more susceptible to mortality risks during the spread of the pandemic. On the other hand, the age profile of Ukrainian refugees was initially lower than the EU average. Disability data is not collected on the population of children under the age of 16 years in the EU-SILC, and no data is collected from adults living in congregative households (such as residential care homes and hospitals). The latter group were

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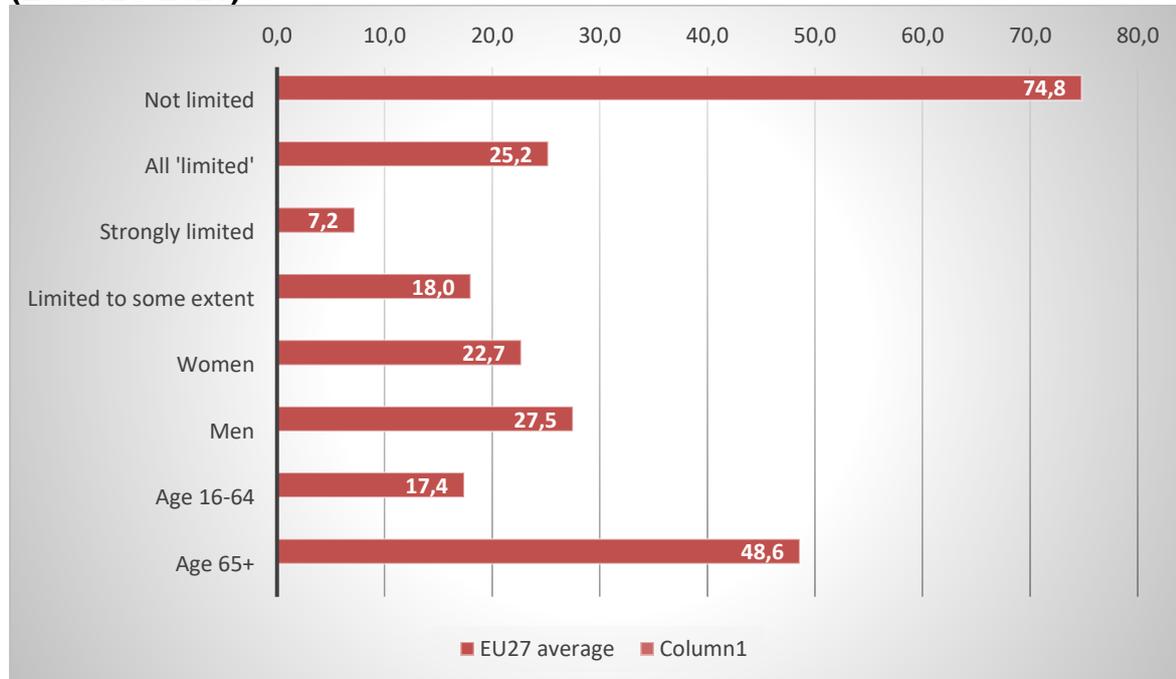
<sup>123</sup> Eurostat, *Glossary: At risk of poverty or social exclusion (AROPE)*, 2021, [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:At\\_risk\\_of\\_poverty\\_or\\_social\\_exclusion\\_\(AROPE\)](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:At_risk_of_poverty_or_social_exclusion_(AROPE)).

<sup>124</sup> Eurostat (2023) Self-perceived long-standing limitations in usual activities due to health problem by sex, age and labour status (online data code: HLTH\_SILC\_06), [https://ec.europa.eu/eurostat/databrowser/view/hlth\\_silc\\_06/default/table?lang=en](https://ec.europa.eu/eurostat/databrowser/view/hlth_silc_06/default/table?lang=en).

<sup>125</sup> Eurostat (2023) *Population structure and ageing*, [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Population\\_structure\\_and\\_ageing](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Population_structure_and_ageing).

disproportionately impacted by the pandemic (including excess deaths). In addition, the long-term health effects of COVID-19 may have affected the number of people reporting long-term health conditions and limitations in activity. Overall, the 2021 data continued to confirm the general trend. The data can be broken down by degree of limitation, gender and age as shown in Figure 3.

**Figure 3: Self-reported ‘activity limitations’ as a proxy for impairment/disability (EU-SILC 2021)**



Source: EU-SILC 2021, Release May 2023.

As noted in the EDE statistical reports, the 2019 data showed a slight decrease on the previous year but the 2020 and 2021 data confirmed the underlying trend of increase in the disabled population in line with the ageing demographic of European societies.<sup>126</sup> The provisional estimates for 2022 indicate further increase to more than 120 million adults in the EU27 Member States in 2022 (not including children aged under 16 or persons living in institutions).

Of these, more than one quarter declare a severe level of activity limitation (7.2 % of the EU population or more than 30 million people).<sup>127</sup> This proportion has been rising incrementally due to the ageing demographic (more women than men also declare activity limitation overall due to the gendered pattern of ageing). This sub-group of persons with severe limitations is closer to the proportion of the population in receipt of disability benefits and services in the Member States.

Although estimates of disability prevalence from general household survey data should be treated with caution, they do evidence, consistently, that a large group of

<sup>126</sup> Anomalies in the historical EU trend have arisen from methodological changes or breaks in the time series of some Member States, including Germany and Italy, which affect the average due to the large size of these countries, and by the UK's withdrawal from the EU (France, Germany, Italy and the UK accounted for more than 50 % of the disabled population in EU28).

<sup>127</sup> Estimates based on an assumed EU27 population of 447 million people in January 2022.

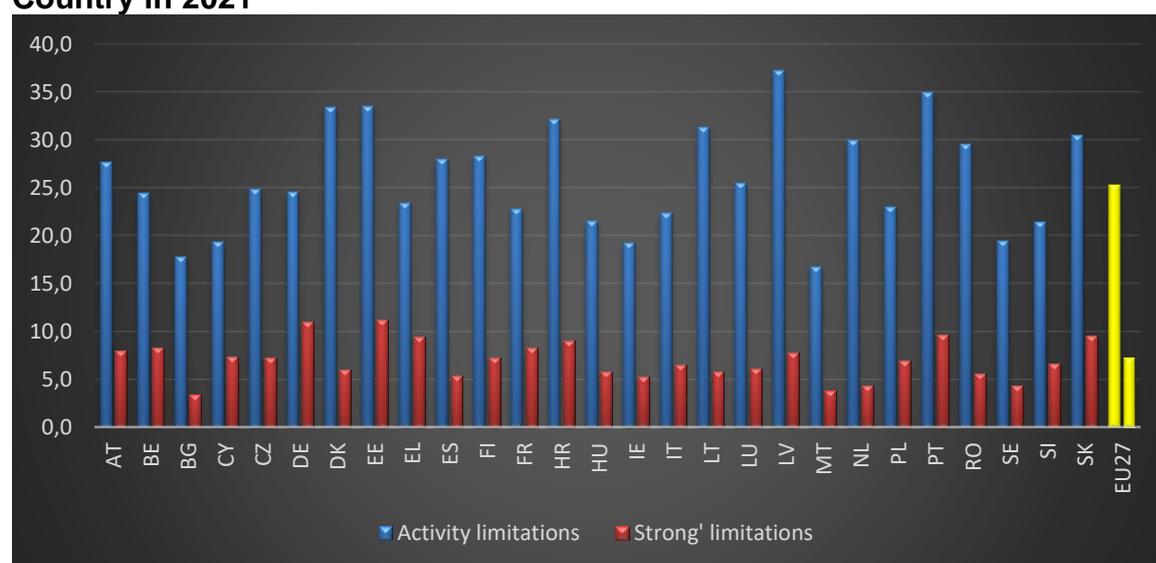
EU citizens are affected, and they underline the policy significance of disability issues for the EU and its Member States. Indeed, the population of adults who declare a functional impairment is larger than the total population of any one EU Member State.

In subsequent tables, these prevalence data are used as a proxy to estimate ‘disability’ equality in the main policy areas of employment, education and poverty risk.<sup>128</sup> Tables are presented by disaggregating the estimated proportion of persons who report and do not report limitations for each indicator (e.g. among those who are employed, unemployed, at risk of poverty, etc.). The analysis combines this evidence of disability equality outcomes with documentary policy evidence from the EU and Member States.

### 5.1.1 Variation in prevalence estimates

The range of prevalence estimates for the Member States, in the 2021 EU-SILC data, is shown in Figure 4. There is less variation between countries in the estimate for persons declaring ‘strong’ limitation in activities (the proxy for severe impairment). Data on severity were missing from the dataset for Germany, which uses proportions from the previous year.

**Figure 4: Prevalence of activity limitation and 'strong' limitation (age 16+) by Country in 2021**

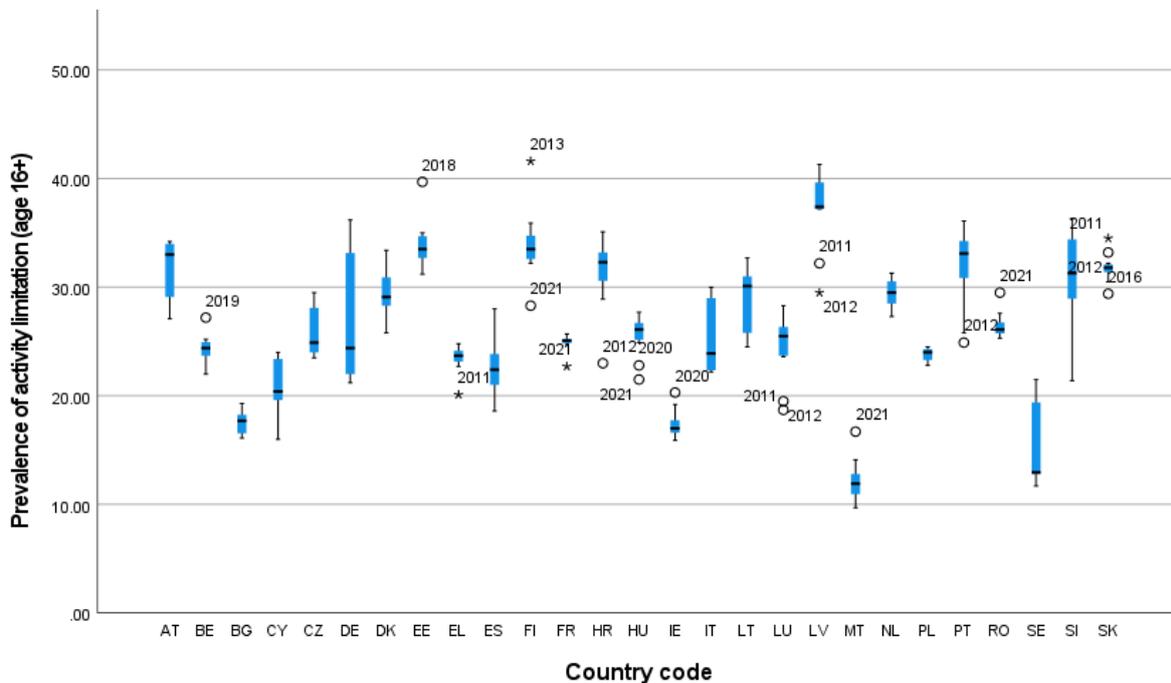


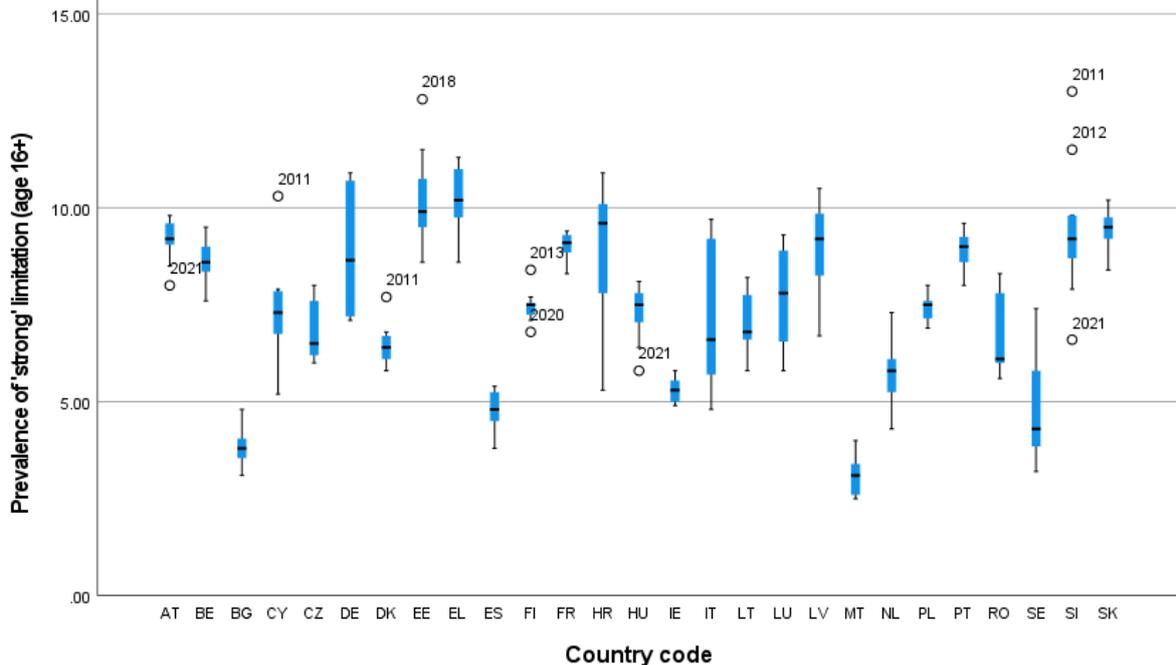
Estimates of disability prevalence based on self-reporting are prone to variation between countries and age groups, which may be due to differences in survey methodology, sampling or cultural-linguistic responses to questioning about health and impairment. This variation is discussed in the EDE statistical report but, to summarise, we can observe variation in both the estimated rate of prevalence and its range of variation per country and over time. There are also some distinct time-series breaks within individual countries, resulting from changes in national methodology.

<sup>128</sup> The basis for this methodology is further explained in the statistical reports of ANED, available at: <http://www.disability-europe.net/theme/statistical-indicators>.

Figure 5 plots the annual national averages for all available observations from the past ten years (2011 to 2021) and for those who report more severe levels of limitation/impairment, in Figure 6. From a total of 296 observations in 27 Member States, the lowest observed prevalence rate was 9.7 % in Malta and the highest 41.6 % Latvia (mean 26.2 %, SD=6.5). The widest in-country variation over this time period was in Germany, due mainly to a change of methodology in 2015 (with similar anomalies affecting Sweden). This and other country anomalies are explained in the EDE statistical report and previous ANED reports. The range over the most recent three years is almost as wide (11.9 % to 39.8 %, mean 26.2 %, N=81) and in 2021 it was 16.7 % to 37.2 % (mean 26 %). It is worth noting that, while there is wide variation in the rate within and between countries, the ranking of countries on this indicator is much less variable. While these ranges are very wide there is some indication that they have begun to converge slightly in recent years. Nevertheless, caution should be exercised when making comparisons between countries, where contextual explanation may be needed.

**Figure 5: Simple Boxplot of Prevalence of activity limitation (age 16+) by Country (2011-2021)**



**Figure 6: Simple Boxplot of Prevalence of 'strong' limitation (age 16+) by Country (2011-2021)**

The prevalence estimates of 'strong limitation' (i.e. as a proxy for severe impairment) also vary, but less so in absolute and relative terms. During the past ten years, the lowest estimate was 2.5 % in Malta and the highest was 13 % in Slovenia (mean 7.4 %; SD=2.1 %). In 2021 the variation was between 3.4 % and 11.2 % (mean 6.9 %, SD=2.0).

Variation in disability prevalence estimates is a well-known phenomenon in social surveys.<sup>129</sup> For example, using the UN Washington Group Short Set questions may underestimate inequalities on some outcome measures compared to the GALI survey measure used in EU-SILC.<sup>130</sup> Such discussions lead to some speculation about the impact that prevalence estimates may have on other dependent variables when used as input to cross-national comparison (e.g. when estimating disability employment rates or disability poverty risk rates). These considerations are examined later but, overall, do not appear to invalidate broad comparisons if they are considered and controlled as a contributory factor in the analysis (e.g. by noting outliers, using multi-year averages, or adding this variable in regressions).

The prevalence of functional limitation will vary between Member States both as an artefact of national survey design and data collection, and as a reality among different demographic populations living under different socio-economic conditions. For example, there are similar variations in self-reported health data, with half of respondents, aged 16 or over, in Finland reporting 'a long-standing illness or health problem' in 2021, compared to 18 % in Italy (EU average 35.2 %). It might be possible

<sup>129</sup> Mitra, S., & Sambamoorthi, U. (2014). Disability prevalence among adults: estimates for 54 countries and progress toward a global estimate. *Disability and rehabilitation*, 36(11), 940-947.

<sup>130</sup> Amilon, A., Hansen, K. M., Kjær, A. A., & Steffensen, T. (2021). Estimating disability prevalence and disability-related inequalities: Does the choice of measure matter?, *Social Science & Medicine*, 272, 113740.

to construct statistical weightings for disability prevalence in the EU-SILC data, but this would require a more advanced analysis than is possible here. It cannot be assumed that human functioning should be equalised between countries, however.

## 5.2 Disability and inclusion in the labour market

The following analysis draws on the summary statistical tables produced from EU-SILC data by EDE to inform Commission input to the Semester process (and consistent with those produced for ANED since 2008 for the same purpose). Continuity of reporting assists in establishing general patterns and trends, and in controlling for some data variability effects between years. There were some anomalies in the EU-SILC data for 2020, including some missing data for the two largest Member States (Germany and Italy). The micro data for 2021 were also missing some disability items for Germany, concerning severity of impairment. It is also important to underline the exceptional circumstances pertaining to labour market conditions in 2020-2021 due to the COVID-19 pandemic. Caution should be applied to the interpretation of anomalies or trends in this respect. The introduction of disability items into the harmonised core of the Labour Force Survey will present new, and greatly enhanced, opportunities for disaggregation and analysis in future policy cycles.

### 5.2.1 Strategic context

Article 27 CRPD refers to a wide range of policy steps that need to be taken, including the prohibition of disability discrimination in ‘all matters concerning all forms of employment’, protecting ‘just and favourable conditions of work’ and ‘labour and trade union rights’, promoting equal opportunities in work and training, and ensuring ‘reasonable accommodation’ is provided in the workplace.<sup>131</sup> The UN CRPD Committee is in process of drafting a General Comment on this Article, which will provide extensive interpretation of these rights. In the consultation process, a number of submissions were made in 2021 by European disability organisations, and by Poland and Italy.<sup>132</sup>

In its 2015 Concluding Observations to the EU, the UN CRPD Committee expressed concern at ‘the high unemployment rates for persons with disabilities, especially women with disabilities and persons with intellectual and/or psychosocial disabilities, in comparison with other groups of population in the European Union’. Accordingly:

‘The Committee recommends that the European Union take effective actions to measure the employment of persons with disabilities and to increase their employment rate in open labour market, including by providing training for Member States on reasonable accommodation and accessibility in the context of employment.’<sup>133</sup>

<sup>131</sup> See: <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-27-work-and-employment.html>.

<sup>132</sup> UN OHCHR (2021) *Call for submissions: Draft General Comment on article 27 on the right of persons with disabilities to work and employment*, <https://www.ohchr.org/en/calls-for-input/calls-input/call-submissions-draft-general-comment-article-27-right-persons>.

<sup>133</sup> See: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEU%2fCO%2f1](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEU%2fCO%2f1).

There is an expectation from the UN that the EU Framework has some competence and responsibility not only to protect non-discrimination rights arising from Directive 2000/78/EC but also in its capacity for the coordination and monitoring of Member States' employment policies (i.e. in the development of employment statistics and through the advisory process of the European Semester).

The EU disability strategy invoked the Employment Equality Directive and the Social Pillar as a starting point, affirming the right to participate in the labour market without discrimination and to an adapted work environment. It also proposed that 'participation in employment is the best way to ensure economic autonomy and social inclusion' (p. 13). The Commission reported on application of the Directive in 2021 (along with application of the Racial Equality Directive), positioning EU disability strategy in context of other related plans for gender equality, anti-racism and LGBTIQ equality, as well as plans to strengthen the Charter and implement the Social Pillar.<sup>134</sup> This furthers the evidence that disability strategy is becoming more mainstreamed in EU policy co-ordination within a common concern for 'preventing and tackling discrimination' and improving data collection. Examples of disability specific actions included awareness raising and guidance developed in 2019-2020, such as the campaign to promote employer good practices in reasonable accommodation.<sup>135</sup> Further practical policy guidance, and good practice, has been developed by the International Labour Organization (ILO) in recent years.<sup>136</sup> However, it was also noted from the Commission consultation that some stakeholders faced challenges in understanding the underlying concept of disability, as well as reasonable accommodation (and in applying this).

The flagship actions detailed in the EU disability strategy for 2022 included a policy package on employment, with a particular focus on interpreting the in the early stages of the 2023 Semester cycle, with a view to further development with stakeholders, and was outlined earlier (see Section 1.7).<sup>137</sup> The Package focuses specifically on measures to support Member States in reducing the disability employment gaps identified in the Social Scoreboard, such as through employment services, reasonable accommodation, training and job quality. A Practitioner toolkit for public employment services was also launched in 2022,<sup>138</sup> and a conference on the labour market integration of persons with disabilities was hosted by Czechia Presidency.<sup>139</sup> It is also

<sup>134</sup> European Commission (2021) REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the application of Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin ('the Racial Equality Directive') and of Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation ('the Employment Equality Directive'), COM(2021) 139 final.

<sup>135</sup> European Commission (2020) How to put reasonable accommodation into practice – guide of promising practices, <https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8341>.

<sup>136</sup> ILO (2021) *Disability and work*, <https://www.ilo.org/global/topics/disability-and-work/lang-en/index.htm>.

<sup>137</sup> European Commission, Disability Employment Package to improve labour market outcomes for persons with disabilities, 2022, <https://ec.europa.eu/social/main.jsp?catId=1597&langId=en>.

<sup>138</sup> European Commission, Directorate-General for Employment, Social Affairs and Inclusion, Genova, A., Davern, E., European network of public employment services : practitioner toolkit on strengthening PES to improve the labour market outcomes of persons with disabilities, Publications Office of the European Union, 2022, <https://data.europa.eu/doi/10.2767/03498>.

<sup>139</sup> European Commission, *Building an economy that works for people: an action plan for the social economy*, COM(2021) 778 final.

relevant to note that the Horizon call on ‘Overcoming discrimination for an inclusive labour market’ required projects to ‘Develop practices that facilitate reduction of employment gaps between vulnerable and mainstream groups, such as persons with disabilities and those without...’ (among other groups).<sup>140</sup>

Social entrepreneurship was mentioned, as a contributor to bridging the disability employment gap, in the Social Economy Action Plan in 2021.<sup>141</sup> The accompanying working paper notes as a main challenge that ‘Inclusive enterprises for persons with disabilities are not always considered part of the social economy’.<sup>142</sup> The concept of inclusive enterprise here refers mainly to Work Integration Social Enterprises (WISEs), private social enterprises that focus on employment, and pathways to employment, for marginalised groups (often including or specifically persons with disabilities). This might involve direct employment, work experience and work preparation activity. Such enterprises are often positioned as a progressive alternative to placing persons with disabilities in sheltered employment outside the mainstream of the labour market. Nevertheless, it is important to ensure that segregative practices are not continued under new policy labels. Careful monitoring and critical evaluation of disability-focused enterprises is always needed in order to establish that they achieve open labour market outcomes.

Labour market segmentation remains a concern in some Member States but this is not observable from headline employment statistics, which present a unified picture of employment gaps rather than insights into employment sectors, job quality or wage differences. Segmentation should be considered among the explanatory factors for analysis at country level, where relevant, and reference to CRPD documentation may help with this. There has been no General Comment from the UN CRPD Committee on employment (Article 27 CRPD) to date<sup>143</sup> but it has viewed structural segregation in the labour market in a similar light to segregated education or institutional care. For example, in its 2015 Concluding Observations to Germany, the Committee expressed concern about ‘segregation in the labour market’ and ‘the fact that segregated, sheltered workshops fail to prepare workers for or promote transition to the open labour market’.<sup>144</sup> Similarly, in 2021, France was recommended to:

‘Move towards eradicating all forms of segregated work, strengthen measures to effectively abolish sheltered employment and adopt a time-bound policy and benchmarks to ensure that all persons with disabilities have access to work and employment in the open labour market, regardless of the type of impairment or

<sup>140</sup> Overcoming discrimination for an inclusive labour market, TOPIC ID: HORIZON-CL2-2022-TRANSFORMATIONS-01-06, <https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/opportunities/topic-details/horizon-cl2-2022-transformations-01-06>.

<sup>141</sup> European Commission (2021) *Building an economy that works for people: an action plan for the social economy*, <https://ec.europa.eu/social/BlobServlet?docId=24986&langId=en>.

<sup>142</sup> European Commission (2021) *Commission Staff Working Document accompanying the action plan for the social economy*, SWD(2021) 373 final, <https://ec.europa.eu/social/BlobServlet?docId=24989&langId=en>.

<sup>143</sup> See: <http://www.ohchr.org/EN/HRBodies/CRPD/Pages/GC.aspx>.

<sup>144</sup> See: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fDEU%2fCO%2f1](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fDEU%2fCO%2f1).

level of support required, and their meaningful inclusion in work environments, in the private and public sectors...<sup>145</sup>

Understanding the extent to which employment policies integrate or marginalise job search and placement for persons with disabilities is a relevant concern for analysis. Labour market segmentation has disability implications also for the Social Pillar concerns with equality, labour rights and wage setting.<sup>146</sup> The Commission's guidance on equality mainstreaming in preparation of the 2021 RRP also provided a useful model for the development of future guidance on Semester plans and situational analyses. This would assist the co-ordination between European Semester and UN CRPD processes (i.e. in harmonising key policy messages from the CRPD with National Reform Programmes and Commission Country Reports).

### 5.2.2 Disability employment rates, gaps and chances

Data on the employment situation of persons with disabilities is presented in the EDE statistical review accompanying this synthesis report, using the most recent microdata from 2021 (missing data for Slovakia). This also includes some comparisons between Eurostat's employment estimations for the general population (based on EU-LFS data) and EDE's disability indicators (based on EU-SILC data). The EU-SILC indicators provide interim estimates for disability employment in anticipation of reporting from the EU-LFS (e.g. disability statistics cannot be disaggregated from the same source as gender employment statistics until this becomes available). Some individual Member States do report the employment situation of persons with disabilities from national labour surveys and, where available, this should be used in country reports for comparison.

There is some variation between estimations based on EU-LFS and those based on EU-SILC. The two surveys adopt different definitions of employment and EU-SILC produces an estimated employment rate for the general population that averages slightly lower than the LFS estimate<sup>147</sup> but the evolution of the two surveys remained strongly correlated over the past decade, and previous findings have proved sufficiently consistent to justify their reliability as indicators of significant gaps and trends. Nevertheless, measurement differences between surveys are larger in some Member States than others, and some recalibration will need to be accommodated in the transition from one measurement to the other. Retrospective trend analysis will not be available for the new EU-LFS indicator and so the EU-SILC estimation retains analytical value in this regard.

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<sup>145</sup> See:

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fFRA%2fCO%2f1](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fFRA%2fCO%2f1).

<sup>146</sup> These were addressed in the Social Pillar analysis provided by ANED in 2016-17, <https://www.disability-europe.net/downloads/870-mainstreaming-disability-rights-in-the-european-pillar-of-social-rights-a-compendium>.

<sup>147</sup> This is due mainly to slight differences in definition and methodology, and of sampling and seasonal factors, which were demonstrated in previously published EDE and ANED statistical reports.

The forthcoming publication of disability statistics from the EU-LFS core will be a major step forward in mainstreaming disability equality in the Semester. In the interim, Eurostat has published retrospective statistics on the disability employment gap, in percentage points, using EU-SILC data (but did not publish the employment rates from which the gap was calculated).<sup>148</sup> This interim estimation used a slightly different data definition of employment to the estimates produced by EDE (and by ANED over the previous decade).<sup>149</sup> This is the measure used in the Social Scorecard for the disability employment gap, and cited in the Commission Country Reports used in the Semester.

Using EDE's EU-SILC estimation, at the European level in 2021, the employment rate of persons with disabilities for the EU27 was about 50.9 % compared to 74.8 % for other persons (on this measure, the total population employment rate in the EU was 70.5 %, compared to 73.1 % in the EU-LFS, for persons aged 20-64), as shown in Figure 7. On this measure, the EU disability employment rate rose above 50 % for the first time in 2017 (when the UK was also included) and was rising slightly faster than the general employment rate prior to the COVID-19 pandemic, causing the disability equality gap to narrow below 25 points. There were setbacks to the general employment situation during 2020-2021 as a consequence of social restrictions and job layoffs, as well as employee sickness. However, these impacts were notably different in different countries, both in terms of magnitude and timing. Added to this are the demographic impacts of refugee movements into Member States during 2021-2022 following the Russian invasion of Ukraine.

The disability employment gap indicated in the Scorecard (using Eurostat's interim methodology) was 23.1 percentage points in 2021 for EU27 (compared to 22.9 in the EDE estimate). The headline gap had narrowed, on this estimate, from 24.4 points in 2019 and 2020, and from 23.5 points prior to the pandemic in 2017 and 2018, but was wider in 2021 than it was in 2014, at 22.7 points. Provisional indications for 2022 (available in June 2023) placed the gap at 21.4 points for EU27.

There are some anomalies in Eurostat estimates of disability employment gaps during the period under review. These include changes in the estimated gap for some Member States between 2020 and 2021 that require further explanation concerning national context or methodological issues. For example, Eurostat's indicated disability employment gap for Denmark fell by half in 2021, from 18.1 points to just 7.9 points (after not falling previously below 16.6 % prior to the pandemic). This compares to an estimated gap of 24.5 points using the EDE measure. The estimated gap in Bulgaria fell from 33 to 22.1 points, and in Spain to 15.9 points (nearly half the pre-pandemic gap in 2019). Such movements are affected not only by the employment rate of persons with disabilities but also by the employment rate for other persons in the labour force. Nevertheless, such large movements require extreme caution in the analysis of trends and averages.

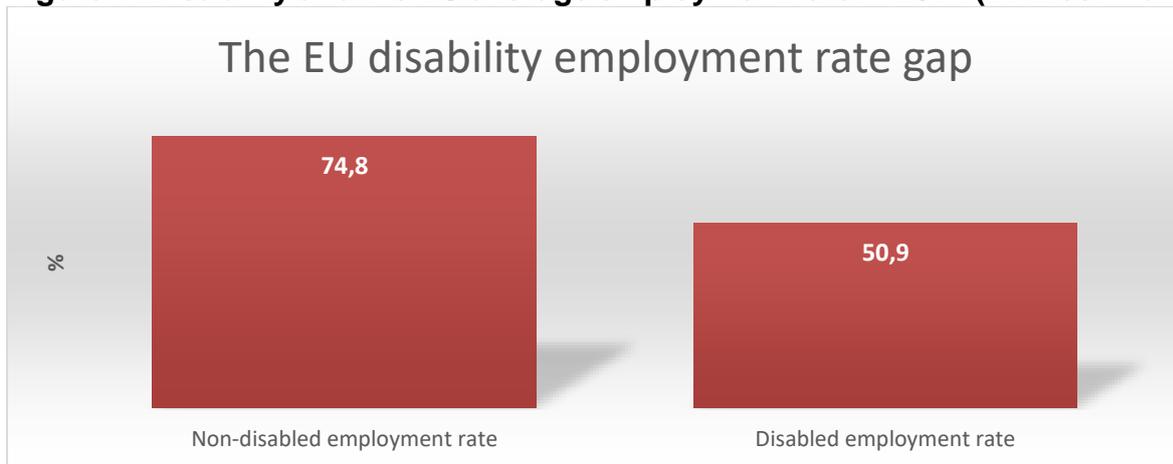
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<sup>148</sup> Disability employment gap by level of activity limitation and sex (source EU-SILC) (hlth\_dlm200), [https://ec.europa.eu/eurostat/data/database?node\\_code=hlth\\_dlm200](https://ec.europa.eu/eurostat/data/database?node_code=hlth_dlm200).

<sup>149</sup> While the EDE estimates consider self-reported employment status (and age) at the date of the survey interview, the interim Scoreboard measure considers persons who were employed (salaried, non-salaried, other employed) for more than 50% of the 12 month reference period.

In summary, there was some improvement in the disability employment situation immediately prior to the COVID-19 crisis but only a modest measurable improvement in the disability employment gap. The impact of the crisis was visible in employment rate reductions in 2020-2021 but these were small. In a strong labour market, with labour shortages highlighted in several countries, there remained under-utilised labour potential among persons with disabilities. The low employment rate among persons with disabilities continues to impact the EU's overall employment rate by more than 4 percentage points. As new data emerges concerning the developing economic situation it will be important to assess the labour market impacts on persons with disabilities.

**Figure 7: Disability and the EU average employment rate in 2021 (EDE estimates)**



Source: EUSILC UDB 2021 – accessed April 2023 (including 2020 estimates for Slovakia).

In 2022, the Commission Country Reports included the Scorecard indicator for the disability employment gap for the first time and categorised each country according to a ranking order (shown in Table 23). The unusual variations reported above, between 2020 and 2021, result in some anomalies of categorisation. For example, the disability employment gap in Bulgaria was categorised as a 'Critical situation' based on 2020 data, but 'Above average' on the 2021 data. Ireland indicated the widest disability employment gap in both 2020 and 2021 yet it was categorised as 'Watch but improving' one year and 'Critical situation' in the next. As explained earlier, the period including the COVID-19 pandemic and the war in Ukraine raised significant challenges for continuity of data collection and statistics and should be treated with caution for policy analysis. The validity of the disability employment gap measure is considered in more detail later and compared with measures of employment ratio. The estimated employment rates from which these gaps are calculated are not published by Eurostat.

**Table 23: Categorisation of 2021 disability employment gaps and updates in 2023**

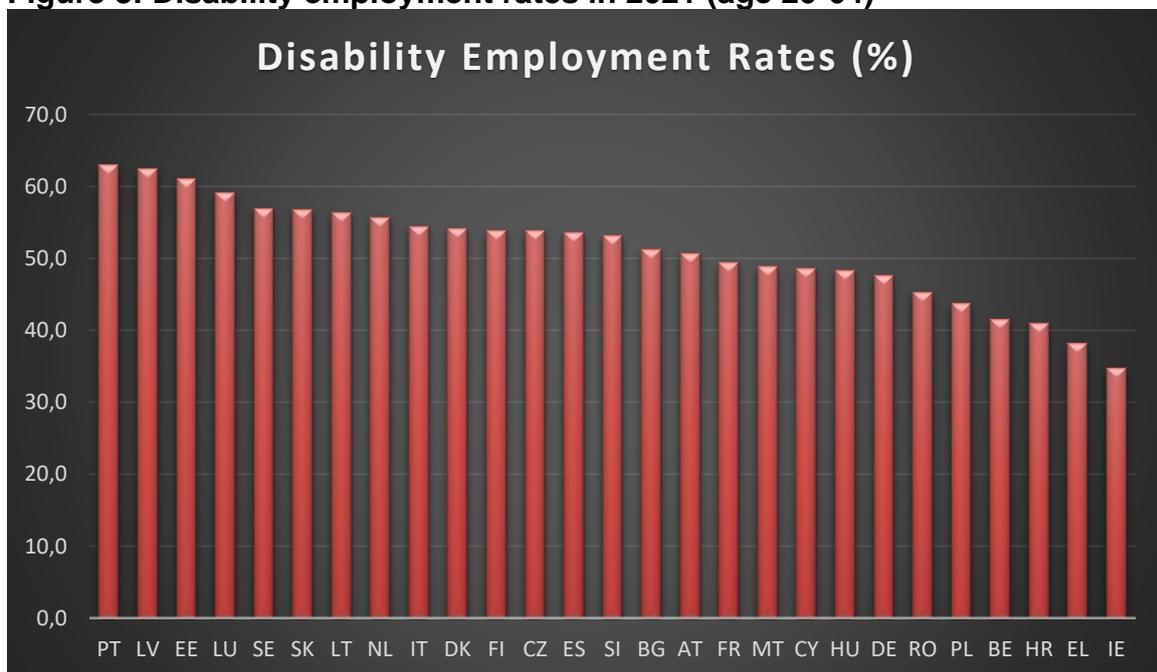
| MS | Scoreboard Categorisation | Disability employment gap based on Eurostat interim measure (pps) cited in the Social Scoreboard | Gap based on EDE estimates of employment rates (pps) | Provisional Eurostat indicator (updated for 2022) |
|----|---------------------------|--|--|---|
| AT | To watch                  | 26.3   | 25.1   | 23.8  |
| BE | Critical situation        | 38.0   | 36.5   | 35.3  |
| BG | Better than average       | 22.1   | 25.3   | 29.5  |
| CY | To watch                  | 27.0   | 29.2   | 25.7  |
| CZ | On average                | 25.9   | 27.6   | 22.7  |
| DE | To watch                  | 30.5   | 28.9   | 24.0  |
| DK | Best performers           | 7.9  | 24.5   | 9.9   |
| EE | Best performers           | 18.7   | 21.0   | 26.2  |
| EL | On average                | 23.8   | 25.0   | 25.9  |
| ES | Best performers           | 15.9   | 16.9   | 14.6  |
| FI | On average                | 22.2   | 21.6   | 19.0  |
| FR | On average                | 24.1   | 24.9   | 20.8  |
| HR | To watch                  | 28.7   | 29.6   | 36.0  |
| HU | To watch                  | 28.8   | 29.9   | 32.4  |
| IE | Critical situation        | 41.3   | 39.9   | 37.0  |
| IT | Best performers           | 14.9   | 14.1   | 14.0  |
| LT | On average                | 23.9   | 24.4   | 35.0  |
| LU | Best performers           | 15.4   | 16.5   | 8.5   |
| LV | Best performers           | 16.6   | 18.6   | 20.8  |
| MT | On average                | 27.0   | 30.7   | 30.1  |
| NL | On average                | 25.8   | 28.4   | 25.2  |
| PL | Critical situation        | 34.2   | 35.8   | 31.3  |
| PT | Best performers           | 16.2   | 15.7   | 13.1  |
| RO | Critical situation        | 32.6   | 31.4   | 32.0  |
| SE | Better than average       | 19.9   | 22.3   | 25.7  |
| SI | On average                | 21.1   | 23.7   | 18.8  |
| SK | On average                | 25.3   | (in 2020) 24.6                                       | 21.0  |

Source: adapted from the 2023 Semester Country Reports and Eurostat database (May 2023)

Employment rates were notably lower among persons with disabilities than among other persons in every EU Member State (Figure 8) but the estimated disability employment gap varies widely between countries (as shown in Figure 9). Using the EDE method, the disability employment rate remained below 40 % in Ireland and Greece in 2021 but was above 60 % in Portugal, Latvia and Estonia. Using the Scorecard indicator, the disability employment gap remained above 35 percentage points in Ireland (40.1 points) and Belgium (38 points) but falling below 20 points in seven Member States (Denmark, Estonia, Spain, Italy, Latvia, Luxembourg, Portugal and Sweden). However, these observations should be contextualised for methodological factors as explained above.

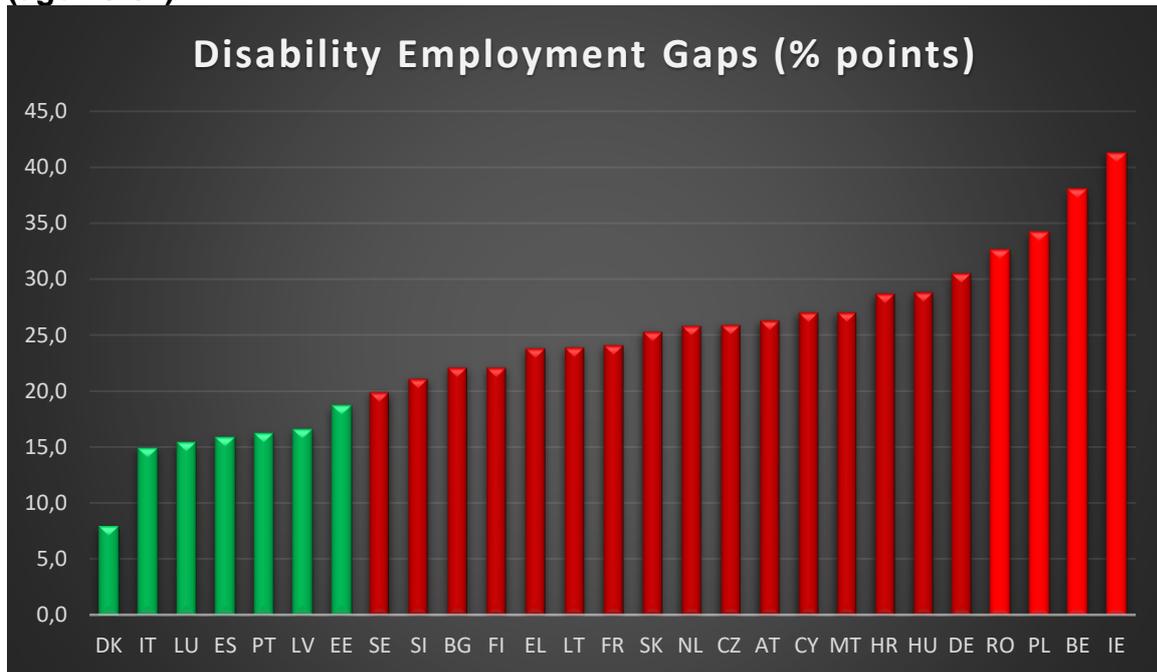
The differences in data definition affect the estimates for different countries in different ways. A large discrepancy was noted for the disability employment gap published by Eurostat for Denmark (as noted earlier), which requires investigation. The disability employment rate in Bulgaria and Malta was more than three percentage points higher using the Scorecard method than the EDE method. In fact, the Scorecard gap was wider for 18, and narrower for 9, Member States than the EDE method indicator. This may seem counterintuitive, as Eurostat's definition of at least 50 % employment in the past 12 months is more restrictive. However, during 2021, reported lack of employment on the day of the survey (EDE method) could be more affected by COVID-19 measures. Given the unusual circumstances caution is needed in all cases. IN practice, the 'Best performers' and 'Critical situations' categorised in the 2023 Scorecards (for 2021 data) are consistent with the narrowest and widest employment gaps indicated from the EDE method (see Figure 9).

**Figure 8: Disability employment rates in 2021 (age 20-64)**



Source: EUSILC UDB 2021 – accessed April 2023 (including 2020 data for Slovakia).

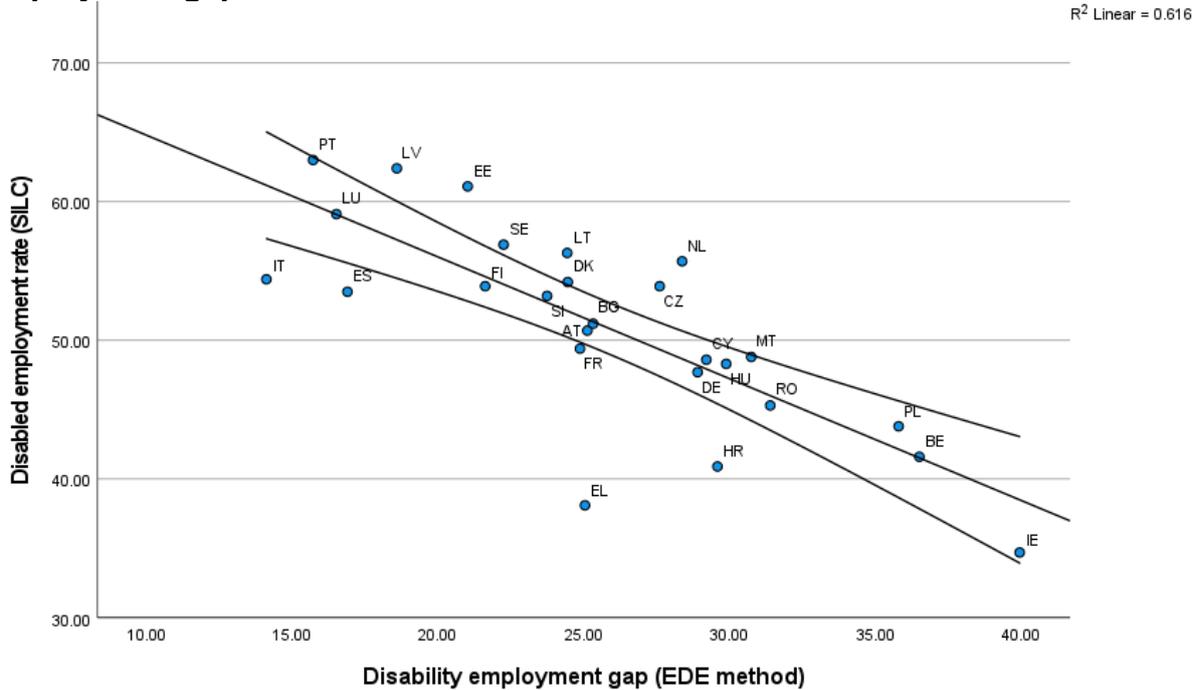
**Figure 9: Employment gaps between disabled and non-disabled persons in 2021 (age 20-64)**



Source: Eurostat hlth\_dlm200 (based on EU-SILC 2021)

Note: 'Best performers' from the Scorecard shown in green, with 'Critical situations' in red.

In general, countries that show a high disability employment rate in the EU-SILC data (EDE method) might be expected to show a small disability employment gap on the Scorecard, but there is not a direct relationship. For example, a country with high general employment rates might also have a high disability employment rate but a wide gap, whereas a country with a low general employment rate might have a narrow gap. As expected, Figure 10 shows a moderately strong inverse relationship but with some outliers. For example, Portugal, Latvia and Estonia indicate relatively high disability employment rates overall and with narrow disability employment gaps than most Member States. Ireland indicates a very low disability employment rate and very wide disability employment gap. By contrast, Greece indicates a very low disability employment rate but only a moderate disability employment gap (which might be due to generally low employment rates for other persons too). Spain and Italy also indicate narrower employment gaps than might be predicted from their disability employment rates. The Netherlands also indicates somewhat wider disability employment gap than might be expected from the rate.

**Figure 10: Scatter Plot of Disabled employment rate (SILC) by Disability employment gap**

To contextualise the headlines statistics, it is relevant to consider both the disability employment rate and the disability employment gap in relation to general labour market conditions in each country (the general availability of jobs) and to the reported prevalence of disability in each country (the proportion of persons reporting activity limitation in the survey). An apparently low disability employment rate in a country with weak labour market opportunities might not be surprising and a narrower disability employment gap might be predicted if job opportunities are also suppressed for non-disabled people. For example, in the years following the economic crisis of 2008 low disability employment rates in Greece and Spain were somewhat obscured by low rates of employment in the general population, especially among high youth unemployment. It is relevant to consider parallel labour market dynamics and effects in response and recovery from the COVID-19 crisis.

One way of controlling for the general labour market context is to represent the chances of employment for persons with disabilities relative to other persons in each country, rather than indicating an absolute gap (i.e. using an odds ratio of the disability employment rate and the non-disabled employment rate, rather than a gap in percentage points). The employment rates used to estimate the disability employment rate in the Scorecard were not available for analysis, but the principle can be illustrated using employment rates estimated from the microdata (using the EDE method).

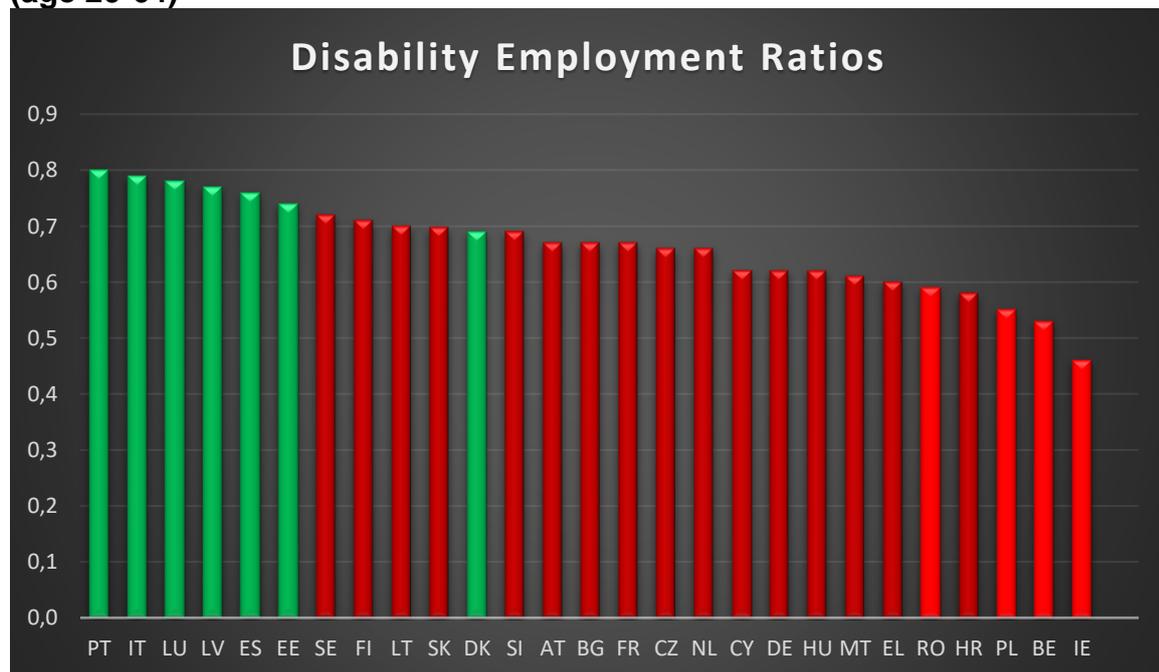
The relative chances of being in employment for persons with disabilities, compared to other persons, ranged from approximately 0.8 in Portugal, Italy, Luxembourg, Latvia and Estonia, to approximately 0.5 in Ireland and Belgium.<sup>150</sup> Using this measure does not have a large impact on the categorisation of 'Best performers' used in the

<sup>150</sup> As in previous years, the outlier case is Ireland, where the relative odds of employment for persons with disabilities appear particularly low.

Scorecard but it does alter the rankings, notably among those categorised as ‘Critical situations’, as illustrated in Figure 11. For example, the disability employment gap was presented situation as a critical situation in Cyprus in 2020 (‘To watch’ in 2021) but the relative chances of employment for persons with disabilities were rather moderate. Croatia raised more concerns for the employment ratio in 2021 than the 2023 Scorecard measure would suggest. There was a significant anomaly for Denmark due to the difference between the Eurostat method and the EDE method of calculating the employment gap for 2021 (which requires policy attention). The use of ‘disability employment gaps’ (points) somewhat distorts the indication of relative chances of employment between persons with disabilities and other persons. Consequently, using an odds ratio might provide a more useful equality indicator to compare countries with differing labour market conditions.

The relevant methodological consideration here is that countries with generally high employment rates might indicate wider employment gaps on the Scorecard (measured in percentage points) than countries with lower employment rates but similar employment ratios. A wide employment gap is a significant concern, and provides national authorities with a policy focus to narrow it, but a low disability employment ratio might be a more reliable comparative indicator. This would merit investigation and further testing when new disability data becomes available from the EU-LFS.

**Figure 11: Relative employment chances for persons with disabilities in 2021 (age 20-64)**



Source: EUSILC UDB 2021 – accessed April 2023 (including 2020 data for Slovakia).

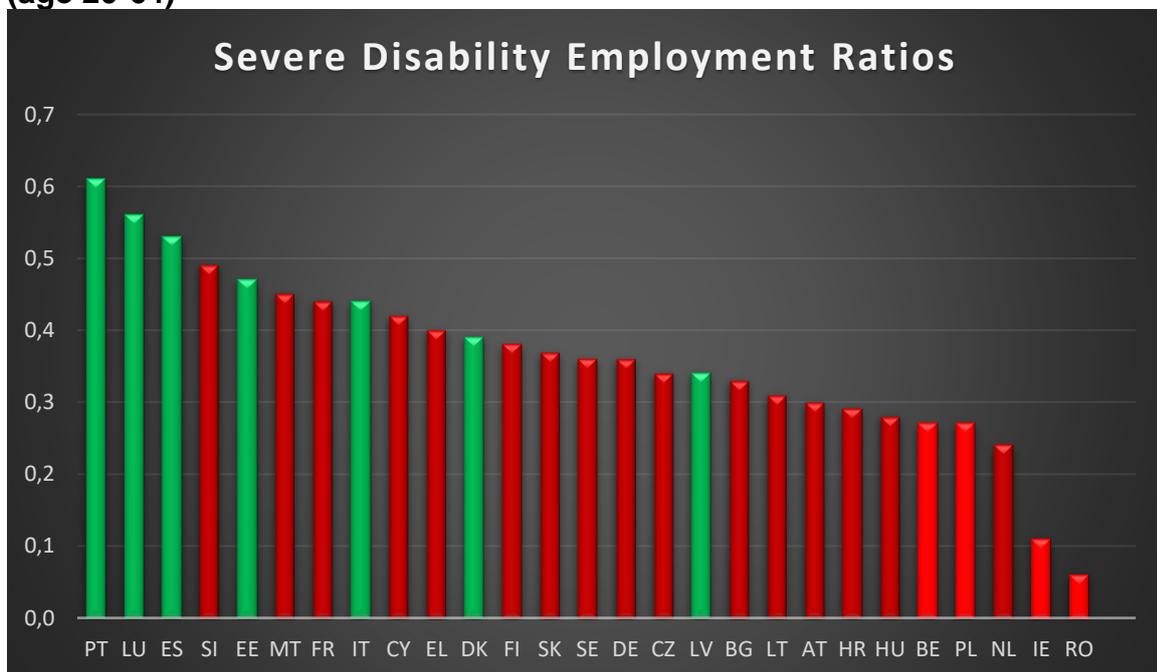
Note: ‘Best performers’ from the 2023 Scorecard shown in green, with ‘Critical situations’ in red.

The employment chances for people reporting more severe impairments (‘strong’ limitations in EU-SILC) are much lower, when compared to non-disabled people, and the variation is wider between countries. In 2021, this varied from over 0.5 in Portugal, Luxembourg and Spain (0.6 in Portugal) to just 0.1 in Romania and Ireland. The implication is that persons with severe impairment had only one tenth the chance of

being in employment compared to non-disabled persons. This is shown in Figure 12 below.

The sub-group of persons with severe impairments is significant from a policy perspective because they are more likely to be impacted by disabling barriers to employment (e.g. inaccessibility or discriminatory attitudes) and to be affected by disability policies (e.g. changes in disability cash benefits, target employment support or social assistance). Looking at the employment ratio for people with severe impairments presents a very different indication of ranking for the ‘Best performers’ and ‘Critical situations’ on the Scorecard (which is based on employment gaps for all persons with disabilities). For this reason, a disaggregation of severity is always worthy of consideration in analysis, and this is accentuated by a consideration of odds ratios.

**Figure 12: Relative employment chances for severely disabled persons in 2021 (age 20-64)**

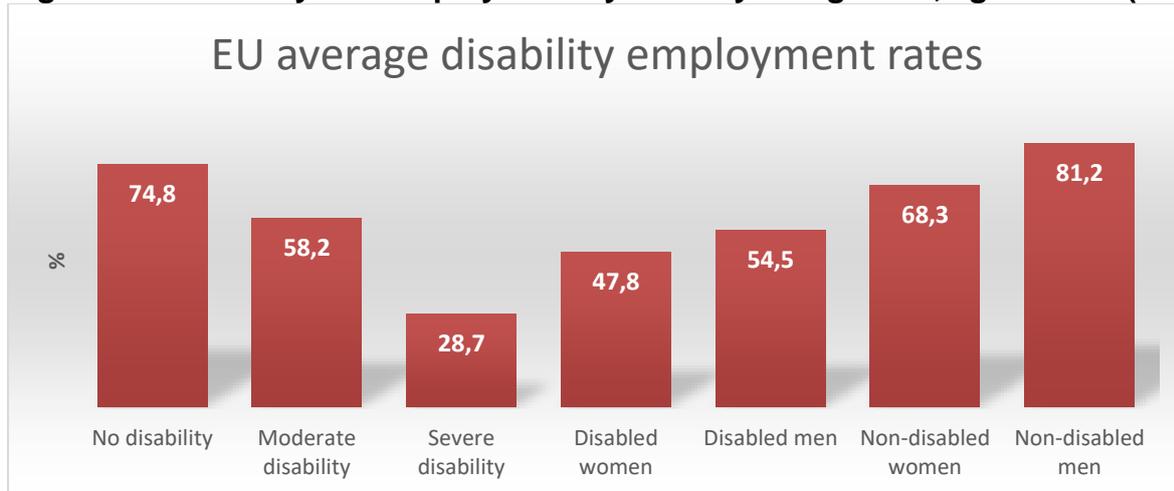


Source: EUSILC UDB 2021 – accessed April 2023 (2020 data for Germany and Slovakia).

Note: ‘Best performers’ from the 2023 Scorecard shown in green, with ‘Critical situations’ in red.

### 5.2.3 Accounting for gender and age differences

Figure 13 shows a breakdown of employment rate estimates for women and men, and for persons with different levels of impairment, at the EU level. For continuity, this uses the same method as previous EDE and ANED fiches contributing to the Semester.

**Figure 13: Disability and employment by severity and gender, aged 20-64 (2021)**

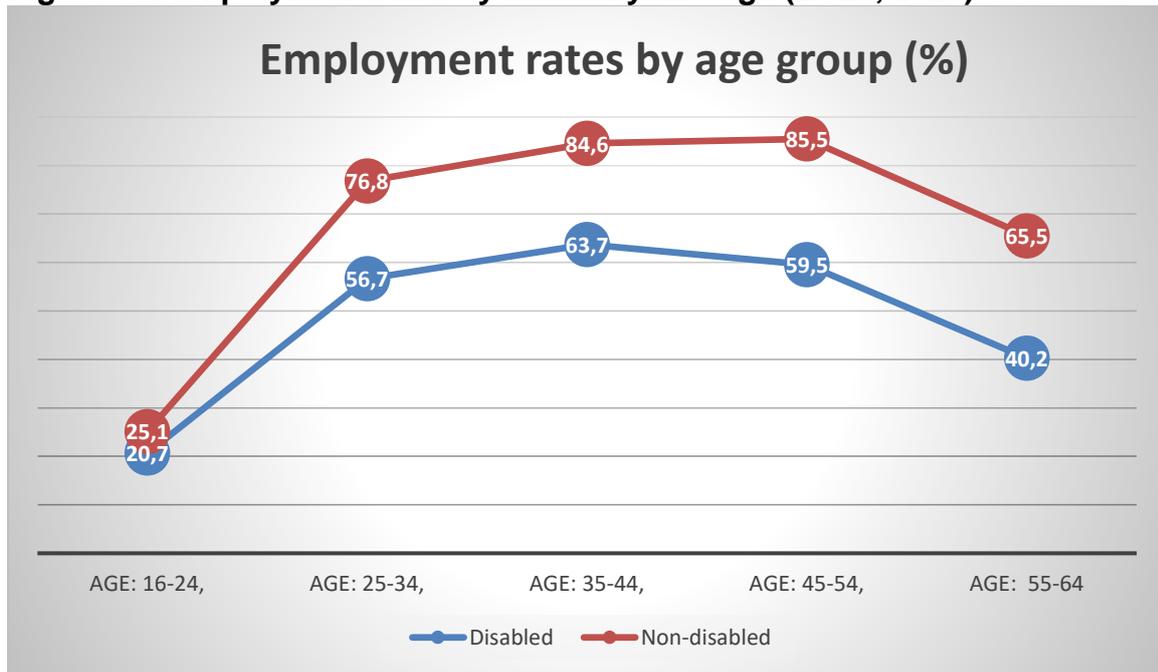
Source: EUSILC UDB 2021 – accessed April 2023 (including 2020 data for Slovakia).

The widest gender employment gaps between women and men with disabilities were in Romania, Malta and Italy, but this disability gender gap is narrow in many Member States (or even reversed). In fact, women with disabilities' chances of being in employment were at least 0.9 that of men with disabilities in 21 Member States and for the EU27 average, with equal or even higher employment chances in Belgium, Bulgaria, Estonia, Finland, Lithuania, Latvia, Sweden and Slovenia.

The indication is that the employment rate of women with disabilities has been rising faster than that of disabled men in most countries and might account for more of the narrowing in the overall disability employment gap in recent years. The 'feminisation' of contemporary labour markets is well known in general.<sup>151</sup> This is evident, for example, in the shift from (traditionally male) jobs in heavy industries towards (more traditionally female) service sector jobs, accompanied by trends towards (more traditionally female) patterns of flexible, part-time and precarious employment. There is some indication that women with disabilities' employment participation has increased even more rapidly than women's employment overall, at least in some countries. This would merit further investigation. The pending availability of new data from the EU-LFS will make possible deeper analyses of the gendered relationship between disability employment rates, job types, job security, equal pay and job quality.

It is also relevant to observe the evolution of disability employment rates in different age groups. Across the EU27, as in most Member States, the disability employment gap widens during middle adulthood. Young persons with disabilities are less likely to secure employment in the labour market and older workers with disabilities are more likely to exit the labour market than other persons (although early exit is by no means confined to disabled workers). Employment policy interventions focused on job retention and early exit will disproportionately impact persons with disabilities, and must take account of their needs for accessibility and reasonable accommodation.

<sup>151</sup> Coyle, A. (2005). Changing times: flexibilization and the re-organization of work in feminized labour markets. *The Sociological Review*, 53(2\_suppl), pp. 73-88.

**Figure 14: Employment rates by disability and age (EU27, 2021)**

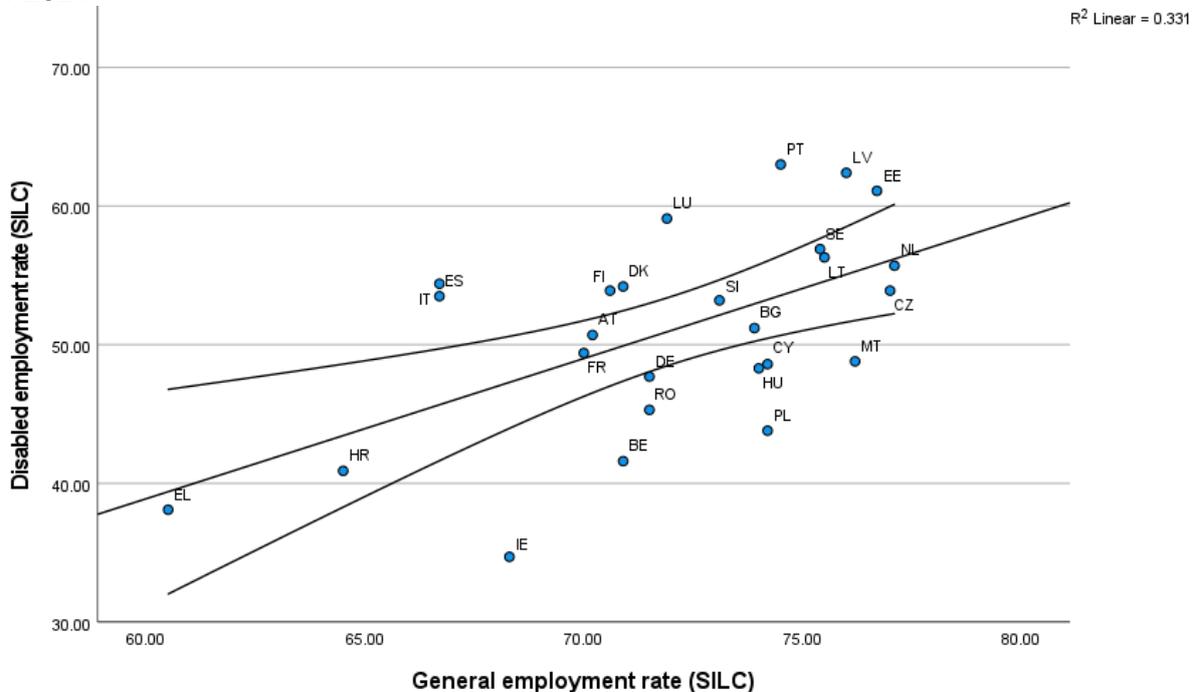
#### 5.2.4 Controlling for variation in labour market conditions

Employment outcomes for persons with disabilities depend on various factors. These include personal factors, the availability of supportive policies, and general labour market conditions. The preceding analysis suggests that disability employment rates and gaps should be contextualised in context of general labour market conditions, which may vary somewhat between Member States. As suggested earlier, any downturn in job opportunities or job security resulting from the COVID-19 crisis impacts both non-disabled and disabled workers and jobseekers. Following the previous financial crisis persons with disabilities were not necessarily ‘the first to be fired and the last to be hired’ and there was modest evidence of some protective effect on their employment overall, albeit a marginal improvement relative to other persons. The extent of the disability impact might depend, for example, on the degree of segmentation in the labour market (e.g. job protection in sheltered or quota-based employment), the effectiveness of non-discrimination sanctions, the amount of targeted support for disabled jobseekers (disability employment services and subsidies), and the accessibility of the environment (including public transport and workplaces).

Such factors cannot be easily disaggregated from general labour market data and require country-level analysis of policy factors (which was provided in the EDE country fiches in 2021 and 2022). This was illustrated above by introducing the concept of relative employment chances (odds ratios). Nevertheless, it is helpful to expand on this by contextualising the employment chances of persons with disabilities in relation to general labour market conditions. This can be illustrated by plotting the disability employment rate in each country against the general employment rate (as shown in Figure 15). This confirms the strong positive association (i.e. countries with higher general employment rates tend to exhibit higher disability employment rates). This should be expected and the overall linear correlation between the general employment rate and the disability employment rate is significant ( $r = .575$ ;  $p < .01$ ), although it

appears to have weakened progressively with the onset of the COVID-19 crisis. In the absence of other explanations, variation in general labour market opportunities might explain only about one third of the variation in disability employment rates among the Member States in 2021 ( $R^2 = .331$ ).<sup>152</sup>

**Figure 15: Disabled employment rate (SILC) by General employment rate (SILC) in 2021**



This general association had strengthened to some extent prior to the COVID-19 crisis, consistent with the observation of a slowly narrowing disability employment gap during the preceding recovery. As the disability gap narrowed so the association with general labour market conditions strengthened. But this trend and association weakened with the onset of the pandemic in 2020, and again in 2021. This might not be surprising given the varying impact and policy responses in different countries but considerable caution should be applied when interpreting the microdata used for illustration here. Looking at the outliers, Ireland, Belgium and Poland appear to have a lower disability employment rate than might be expected from their general employment rate, while the reverse was observed in Portugal, Luxembourg and Latvia.

Caution is needed at the country level as disability employment outcomes vary widely and most of the cases lie outside the predicted confidence bands for the trend (95%). Nevertheless, the data raises interesting policy questions. Outlier country cases may merit further analysis since their divergence might be explained by a combination of policy factors or methodological factors (in sampling, data definition or response factors). For example, a low disability employment rate in Greece was associated with a low general employment rate but an even lower disability employment rate in Ireland

<sup>152</sup> Persons with disabilities are included in both the general employment rate and the disability rate, which may dilute the effect but disaggregating persons with and without disabilities in the survey also tends to exaggerate the effect of differences in the prevalence of self-reported activity limitation between national surveys, which is addressed later.

was associated with a stronger general employment rate. Cases below the trend line are associated with wider disability employment gaps (and weaker disability employment chances) than cases above the trend line.

To summarise, a choice of disability employment indicators is available and it is helpful to consider ‘disability employment ratios (relative employment chances) in analysis.

The introduction of a provisional ‘disability employment gap’ indicator in the Scoreboard has been a major step forward in mainstreaming disability equality in Semester. The future availability of EU-LFS data will strengthen this considerably, in terms of statistical power and harmonization with the standard method of estimating employment outcomes in the Semester.

Higher general employment rates drive higher disability employment rates but not to the same extent in all countries. These relationships weakened with the onset of the COVID-19 crisis, and merit policy attention. This needs to be carefully monitored to ensure that disability equality gains during the period preceding the COVID-19 crisis are not lost in the recovery.

The disability employment rate will be affected by targeted disability employment policies (subsidies, quotas, incentives, accessibility) as well as general labour market policies and economic conditions. If disability policies are successful, and persons with disabilities become more integrated into the open labour market, then disability employment trends should follow more closely general employment trends.

Understanding the relative employment chances of persons with disabilities, compared to other persons in the labour market, is therefore a useful approach.

### **5.2.5 Controlling for variation in disability prevalence rates**

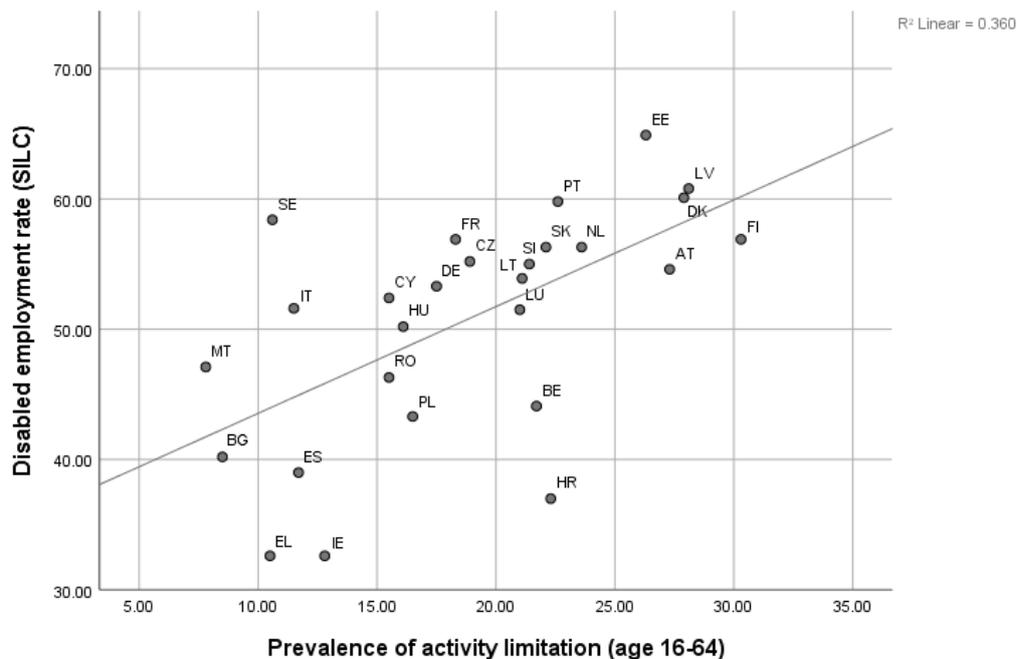
Caution is needed concerning methodological anomalies and variations in the prevalence of self-reported activity limitation and its association with employment outcomes (i.e. countries with higher disability prevalence rates among working age people do tend to average higher disability employment rates too but not in a consistent way). One common assumption is that high rates of self-reported activity limitation might over-represent persons with mild levels of impairment, with more positive participation outcomes (i.e. less disabled by societal barriers), and that low prevalence rates might over-represent people with more severe levels of impairment (and lower participation rates). In this case, countries with high prevalence rates might tend to indicate better than expected average outcomes for ‘disabled’ people and vice versa. This merits investigation to establish the possible effects.

The COVID-19 crisis created some anomalies in the data in 2020 and 2021, both about self-reported health status and opportunities for employment (as well as changes in data collection methods and some missing data). These issues mean that the most recent data is somewhat more difficult to interpret than historical data, in terms of patterns and trends. The following analysis uses the most recent data prior to the pandemic (from 2019) to explain the contingencies involved in controlling for variation in disability prevalence. For the most recent prevalence data in 2021 see Section 5.1.1.

Taking all the data points for the EU27 countries prior the COVID-19 crisis, from 2008-2019, where available (valid observations N=319), there was a statistically significant but only moderate positive correlation between the reported prevalence of activity limitation in the age group 16-64 and the disability employment rate per country overall ( $r=.626$ ,  $p<.01$ ). In fact, the overall correlation is little changed when considering all the data up to 2021 (N=372,  $r=.610$ ,  $p<.01$ ) but there are anomalous changes in the relationship between prevalence and employment rate in some countries which make the more recent data difficult to interpret reliably.

The association is shown for the year preceding the COVID-19 effects (2019) in Figure 16. This illustrates the variation as well as the moderate association. For example, while Sweden, Portugal, Denmark, Latvia and Estonia appeared to have high disability employment rates they had rather varying prevalence rates. Likewise, Sweden, Italy, Malta, Bulgaria, Spain Greece and Ireland reported low prevalence rates but widely varying disability employment rates.

**Figure 16: Disabled employment rate (SILC) by Prevalence of activity limitation (age 16-64) in 2019**

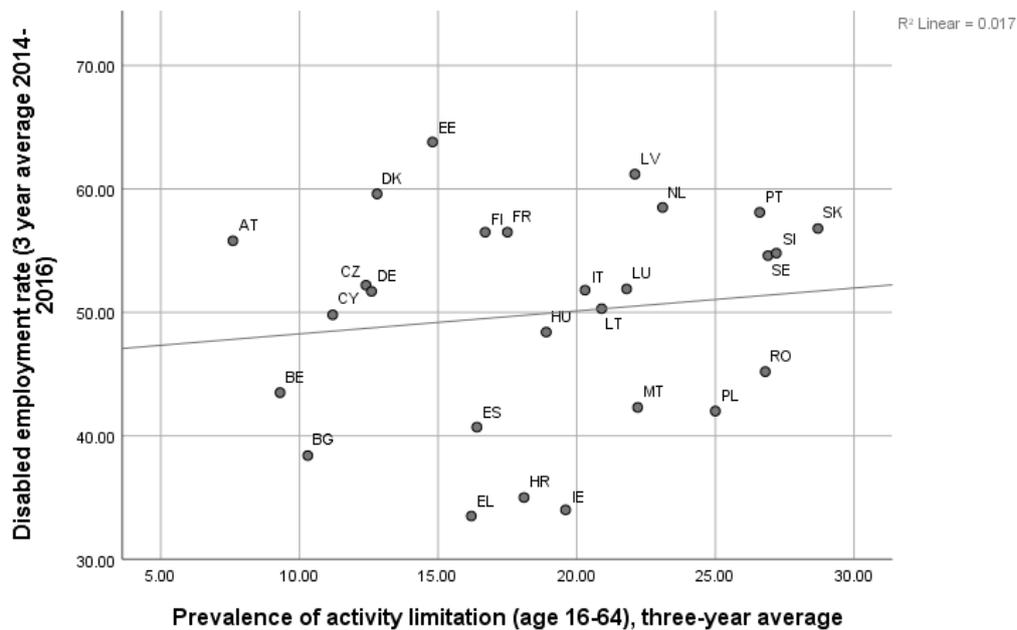


There have been some large changes in the reported prevalence rates in some countries in some years, and breaks in the time series, for example due to changes in survey methodology (e.g. Germany since 2015, Italy since 2016). This results in some large standard errors across time within countries and within years between countries. There is less variation among the working age population than among older people, but it may be useful to consider an average (e.g. three years) or a trend when assessing prevalence as an artefact effect on outcomes. There is still wide variation between countries on this measure, with around one in ten people aged 16-64 reporting disability in Bulgaria, Greece and Malta in 2021 but around one in four in Denmark, Estonia, Latvia, Netherlands and Portugal.

Using a three-year average to control for variation in self-reported prevalence weakened the correlation with 2019 employment outcomes slightly ( $r=.600$ ,  $p<.01$ ) and the positive association lost explanatory power ( $R^2=0.0180$ ). The effect was similar when plotting the three-year average prevalence against a three-year average employment rate (Figure 17,  $r=.662$ ,  $p<.01$ ,  $R^2=0.017$ ). It is important to underline that, even when applying this kind of control for variation, the countries with the lowest disability employment rates (Ireland, Greece, Croatia and Spain) were not those with the lowest prevalence rates but rather closer to the average.

Overall, prevalence of self-reported activity limitation in the working age population might explain up to a third of variation in outcome indicators of employment for persons with disabilities between EU Member States, although this is by no means consistent.

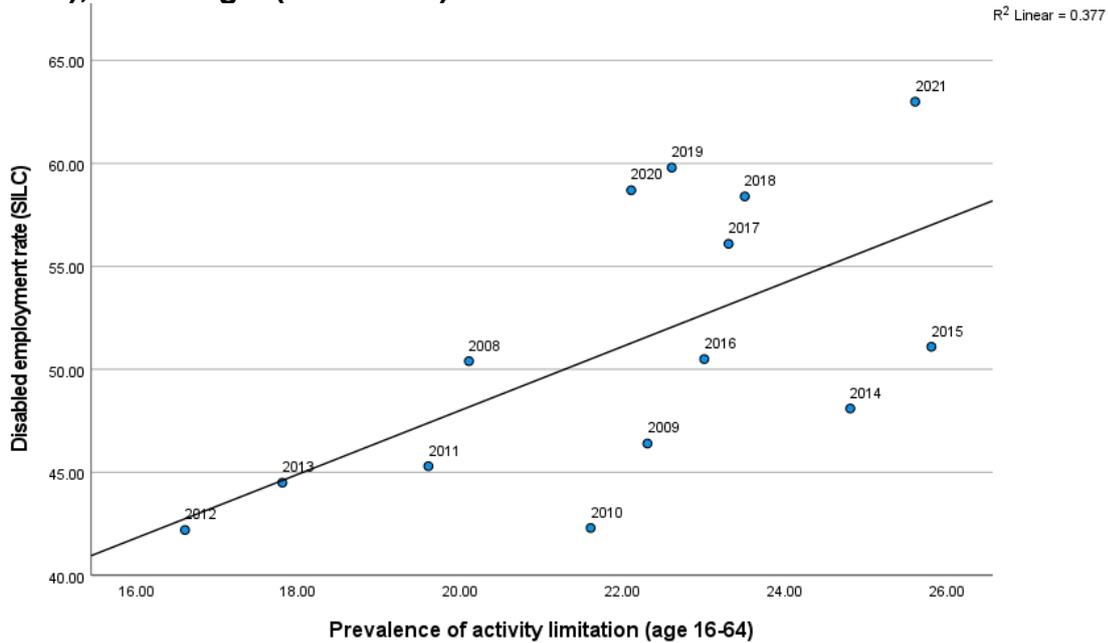
**Figure 17: Disabled employment rate by Prevalence of activity limitation (age 16-64), using three-year averages (2017-2019)**



In summary, there is greater variation in prevalence rates than in the estimation of employment rates, which are both based on self-reporting in EU-SILC. Prevalence estimates may play a part in some cases as an artefact of the survey methodology, but other factors are needed to explain the patterning of employment outcomes.

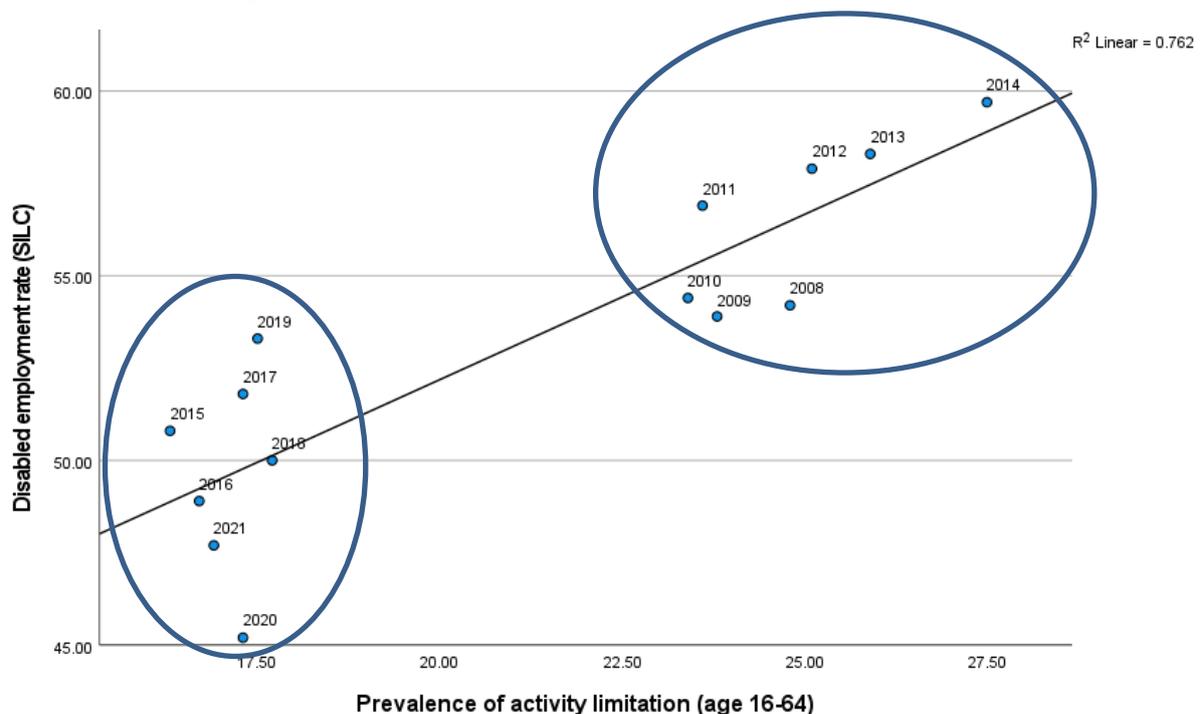
Taking Portugal as a country example, there was only a weak positive association between variation in national prevalence estimates and national disability employment rate over the period 2008-2021 ( $R^2=0.37$ , for 14 data points) despite a wide range in employment rate, which improved over time, independently. The number of observations is small but illustrates the weak association between prevalence and outcome within most countries where there are no time-series breaks. The estimated prevalence of activity limitation, among the 16-64 age group, in Portugal varied between 16.6 % in 2012 and 25.8 % in 2015 (averaging 22.1 %), while the estimated disability employment rate varied between 42.2 % in 2012 (following the financial crisis) and 63 % in 2021 (average 51 %). This is shown in Figure 18.

**Figure 18: Disabled employment rate by Prevalence of activity limitation (age 16-64), in Portugal (2008-2021)**



By contrast, a 2015 methodological change in Germany significantly reduced its prevalence estimates (restricting the definition towards persons with more severe impairments) and this change was strongly associated with worse disability employment outcomes on average (two distinct clusters of annual observations, before and after this break, are evident in Figure 19).

**Figure 19: Disability employment rate by Prevalence of activity limitation (age 16-64) in Germany (2008-2021)**



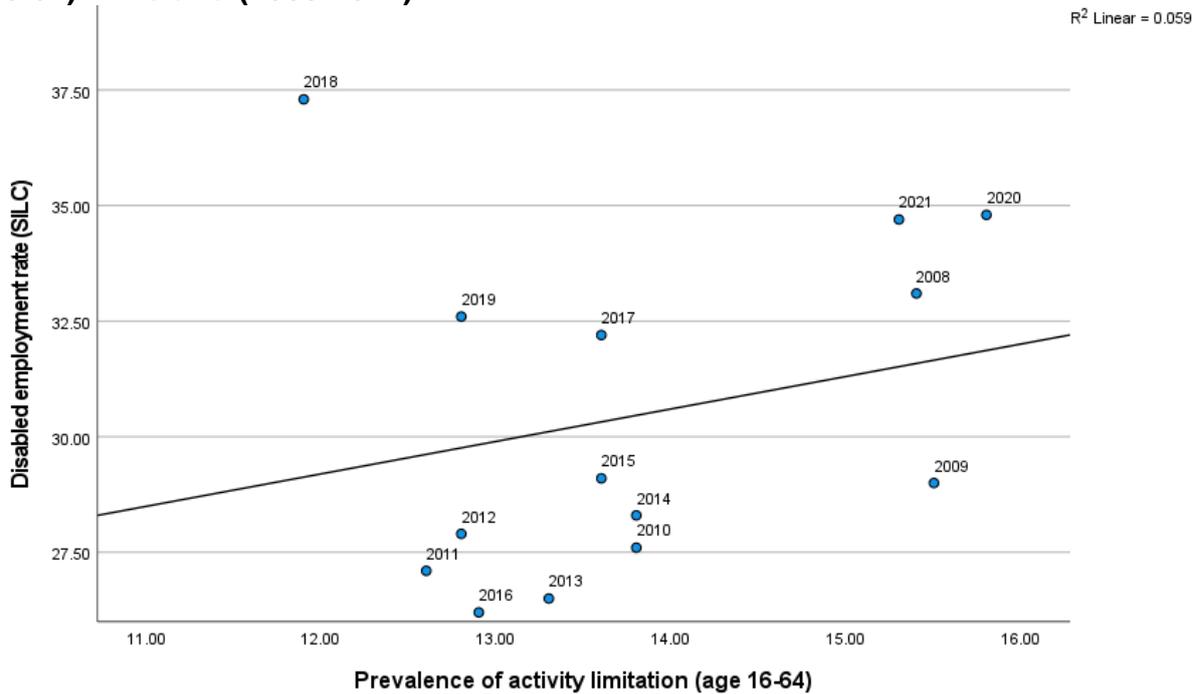
The German example illustrates the counter argument that the artefact of self-reported prevalence in social surveys can affect disability equality outcome indicators. This effect is most evident when there are qualitative changes to the definitions and wording of survey items. In this case, the change to a more restrictive disability definition reduced the self-reported prevalence and thereby worsened the outcome indicator for employment rate, as predicted by the hypothesis. However, variations in self-reported prevalence do not appear to make large differences during periods of methodological stability, where they might arise from sampling error (for example). EU social survey samples are not weighted for disability prevalence and some variation is inevitable between years, as for many other self-reported items informing other social indicators. Breaks in time series, such as the German example, should be clearly identified and explained, however.

When considering EU survey estimates it is also useful to triangulate these against national data sources, where they exist. For example, the National Disability Authority in Ireland used 2016 Census data to observe an overall disability prevalence of 13.5 % in the general population,<sup>153</sup> which was smaller than the SILC estimate of 16.5 % for persons aged 16 and over in the same year. The Census question was based on self-reporting against different categories of impairment or difficulty rather than the global activity item used in SILC.<sup>154</sup> This national data produced a disability employment rate of 36 % in 2016, compared to a SILC estimate of 26.2 % among those aged 20-64 in that year. In this example, a lower prevalence in national data resulted in a more optimistic employment rate, which runs against the general hypothesis that lower prevalence estimates predict worse outcomes. As the German example showed, this effect only really comes into play in countries where the disability definition is qualitatively restricted to persons with more severe impairments. Lower prevalence rates on their own are not sufficient to predict lower outcomes, a qualitative explanation is always needed. There is no clear evidence of artefact or association in the EU-SILC data for Ireland to explain its consistently weak disability employment outcomes (as shown in Figure 20).

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<sup>153</sup> National Disability Authority (2018) *NDA Factsheet 1: Disability Statistics*, <https://nda.ie/publications/nda-factsheet-1-disability-statistics>.

<sup>154</sup> Central Statistics Office (2018) *Census of Population 2016 – Profile 9 Health, Disability and Carers: Types of Disability*, <https://www.cso.ie/en/releasesandpublications/ep/p-cp9hdc/p8hdc/p9tod/>.

**Figure 20: Disability employment rate by Prevalence of activity limitation (age 16-64) in Ireland (2008-2021)**

A popular hypothesis to explain the prevalence effect, outlined earlier, is that estimated disability employment rates might be inflated optimistically in countries that over-report persons with low levels of functional impairment in the disability category (because such persons might be closer to the labour market and more likely to be in employment). A more expansive disability definition may dilute negative outcomes, based on averages, while a restrictive definition may intensify them. This is clearly shown by comparing the employment rates of persons with moderate impairments and those with severe impairments in the EU-SILC data (see Figure 13). However, such effects do not easily explain country variations on equivalent measures, except in specific cases. The German example illustrates this with a known definitional change in the disability category, but it would be misleading to imply that all cases of low reported prevalence result from restrictive disability definitions in survey design (the artefact effect might also be cultural/linguistic or random).

To control for this effect a linear regression was run to predict disability employment rate from the general employment rate and from the working age disability prevalence rate, prior to the COVID-19 pandemic and without consideration of national policy factors (see Table 24). Taken together, these two variables did predict the pattern of reported employment outcomes in a strong and statistically significant way overall.  $F(2, 212) = 248.298$ ,  $p < .001$ ,  $R^2 = .701$  (adjusted to .698). Indeed, these two contextual variables might appear to explain around two thirds of the total variation in estimated disability employment rates among the EU27 Member States over the time period. Both variables added significantly to the prediction when the other was controlled (more so the general employment rate) but around a third of the variation in disability employment rates still could not be accounted for by these factors. Some caution should be attached to this kind of test for the data in 2020 or 2021, during the pandemic, as the range of anomalies affecting self-reporting and employment outcomes are considerable.

On average, a one percentage point increase in the general employment rate predicted an increase of 0.9 percentage points in the disability employment rate per country (when variation in the rate of prevalence was controlled), suggesting a small disability employment bonus consistent with a narrowing disability employment gap. The effect of the prevalence rate was slightly less, at 0.8 points on average.

**Table 24: Predicting disability employment from general employment and prevalence rates (2008-2021)**

| Coefficients: Dependent Variable: Disabled employment rate (SILC) |                                |                             |            |                           |        |       |
|---|--------------------------------|-----------------------------|------------|---------------------------|--------|-------|
| Model   |                                | Unstandardized Coefficients |            | Standardized Coefficients | t      | Sig.  |
|   |                                | B                           | Std. Error | Beta                      |        |       |
| 1   | (Constant)                     | -30.038                     | 4.274      |                           | -7.028 | <.001 |
|   | General employment rate (SILC) | .913                        | .062       | .563                      | 14.727 | <.001 |
|   | Prevalence (age 16-64)         | .783                        | .058       | .521                      | 13.625 | <.001 |
| a. Dependent Variable: Disabled employment rate (SILC)            |                                |                             |            |                           |        |       |

The range of confidence in these predictions at the country level remains very wide, which underlines that, general predictions do not hold true for specific countries. This does not devalue the relevance of an EU level headline indicator but, for policy analysis at the national level, a more focused approach is needed in country reports.

In summary, it is relevant to be aware of a weak positive association between estimates of prevalence and estimates of employment outcomes, based on self-reporting in EU-SILC. Prevalence should be factored into modelling outcomes as it varies between countries and years.

It is important to be aware of significant time series breaks within countries, and especially to methodological or policy changes to definitions of disability.

The effect is less than the effect of general labour market conditions, and can be largely controlled by taking a multi-year average, but anomalies should be highlighted.

Differences in disability employment outcomes should never be discounted solely on the basis of differences in disability prevalence rates and should be investigated further.

The disaggregation of disability data from the EU-LFS should allow for increasingly robust statistical estimates and breakdowns to be obtained in future, due to larger sample sizes.

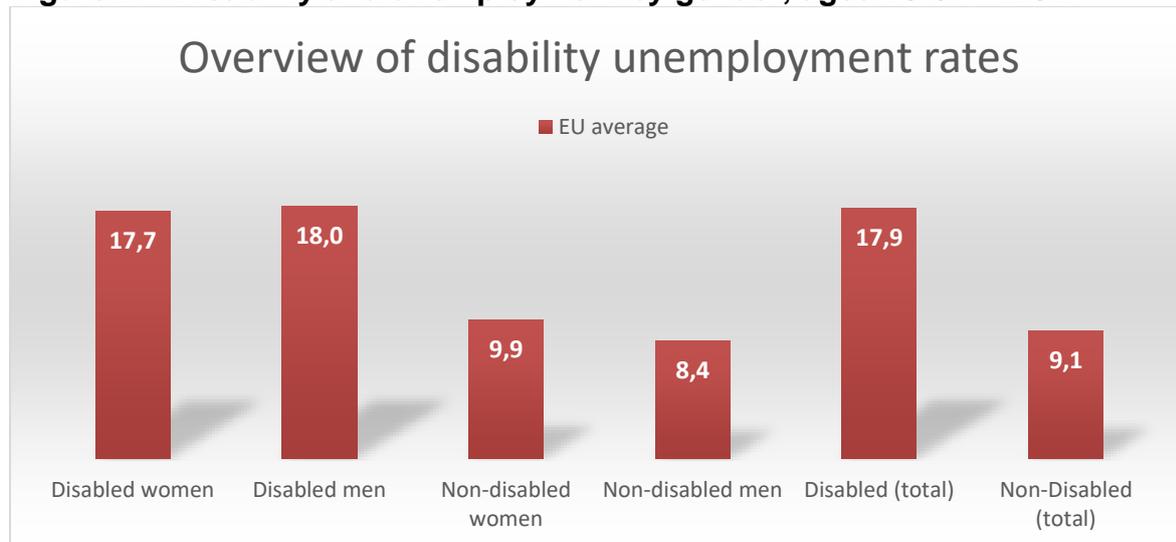
## 5.2.6 Unemployment

Disability unemployment rates are relevant not only for the Semester but as a disaggregated measure supporting implementation of the Sustainable Development Goals. The challenges in comparing disability employment rates are compounded for unemployment rates, for two reasons – the numbers of persons with disabilities in the unemployment category are much smaller and national administrative rules and definitions of ‘unemployment’ vary in relation to disability (e.g. whether people in

vocational ‘rehabilitation’ programmes are counted as job seekers, trainees or employees). In some countries only ‘registered’ disabled persons are counted by the employment service, while the EU-SILC is self-reported. The SILC and LFS methodologies also differ<sup>155</sup> and the analysis will be greatly assisted when the disability is discernible from the EU-LFS core statistics.

Women and men with disabilities report much higher levels of unemployment across the EU, compared to other persons, as shown in Figure 21. The pattern across age groups mirrors the employment rate trend with inequalities at all ages but a widening disability equality gap among older workers, as shown in Figure 22.<sup>156</sup>

**Figure 21: Disability and unemployment by gender, aged 20-64 in 2021**



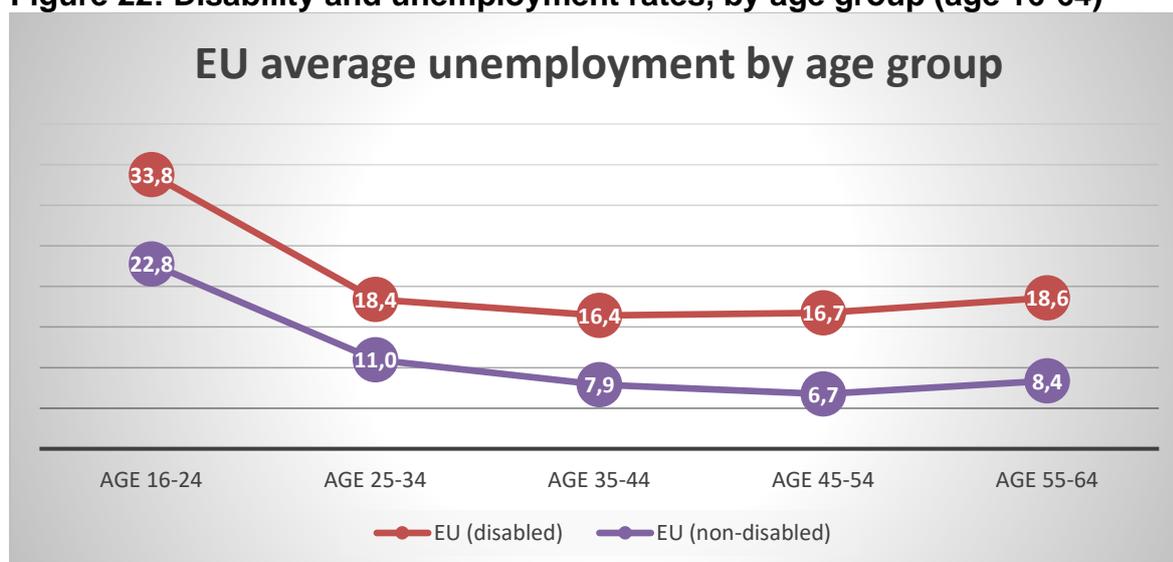
Source: EUSILC UDB 2020 – accessed April 2022 (estimated for Germany and Italy).

The impact of the COVID-19 crisis was evident in the data from EU-SILC for 2020 and 2021, with increases in unemployment for both persons with disabilities and other persons. This was particularly notable in relation to estimates of youth unemployment, with the EU27 average rising to nearly 30% among the disabled sample aged 16-24 in 2020 and to one third in 2021 (with some incomplete data). Across the life course, the average risk of unemployment for persons with disabilities reached nearly twice the risk for other persons in the workforce.

Some caution is needed in interpreting disability unemployment levels at the national level (e.g. in Semester Country Reports). The disability samples are relatively small in the EU-SILC data once these are broken down by unemployment status, and particularly among younger age groups. They have proved consistent overall but care should be taken to explain any apparent anomalies.

<sup>155</sup> EU SILC relies on self-declared current ‘main activity status’, and produces higher estimates of unemployment, but trends from the two surveys run systematically in parallel.

<sup>156</sup> At the national level, there are limitations of small sample size in the younger age groups for some countries.

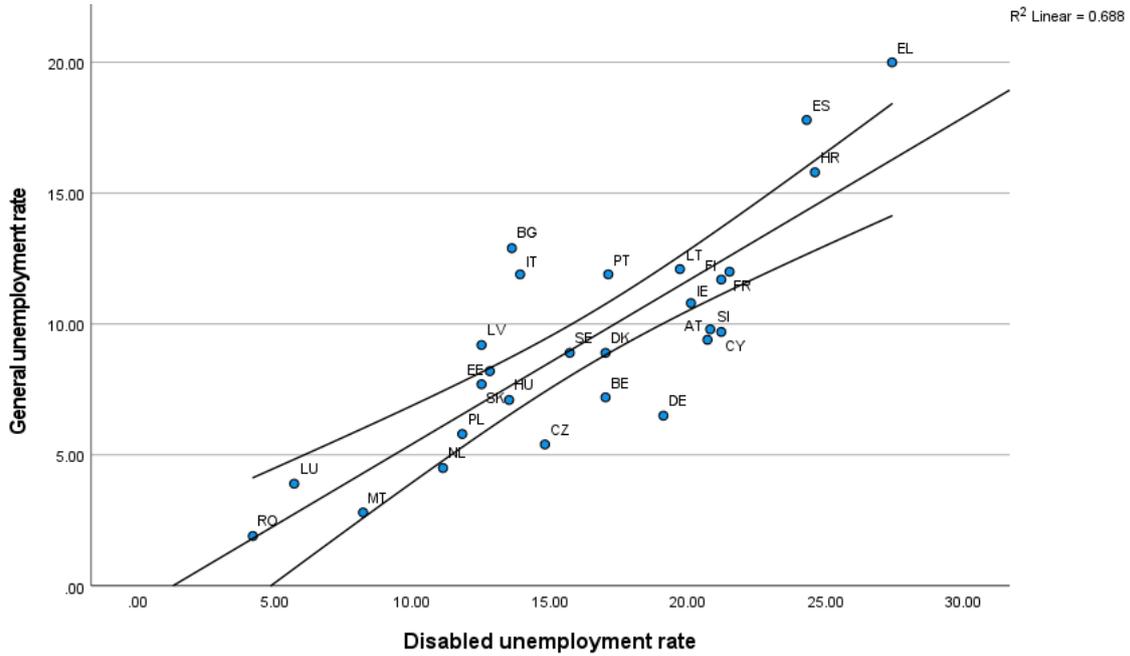
**Figure 22: Disability and unemployment rates, by age group (age 16-64)**

Source: EUSILC UDB 2021 – accessed April 2023 (including 2020 data for Slovakia).

Repeating the same type of indicative analysis provided for employment data, there is a strong positive association between the general unemployment rate and the rate for persons who declare activity limitations, which is also highly statistically significant ( $r=0.868$ ;  $p<.01$ ). Persons with disabilities are much more likely to be unemployed in countries that have generally high unemployment, and to a greater degree. The association between disability and general unemployment rates is stronger than that between disability and general employment rates. Indeed, up to three quarters of the variation in disability unemployment rates in EU Member States might be predicted by variations in the general rate of unemployment in each country. There is also no significant association between reported prevalence rates and unemployment rates so an analysis of country-level factors, including different policy approaches, might be even more important in explaining divergent outcomes here. One such policy factor is the way in which disabled job seekers are classified administratively, and whether they are included in the ‘unemployed’ category in national data sources (e.g. in data provided by public employment services), although the indicator here is based on self-reporting of labour market status.

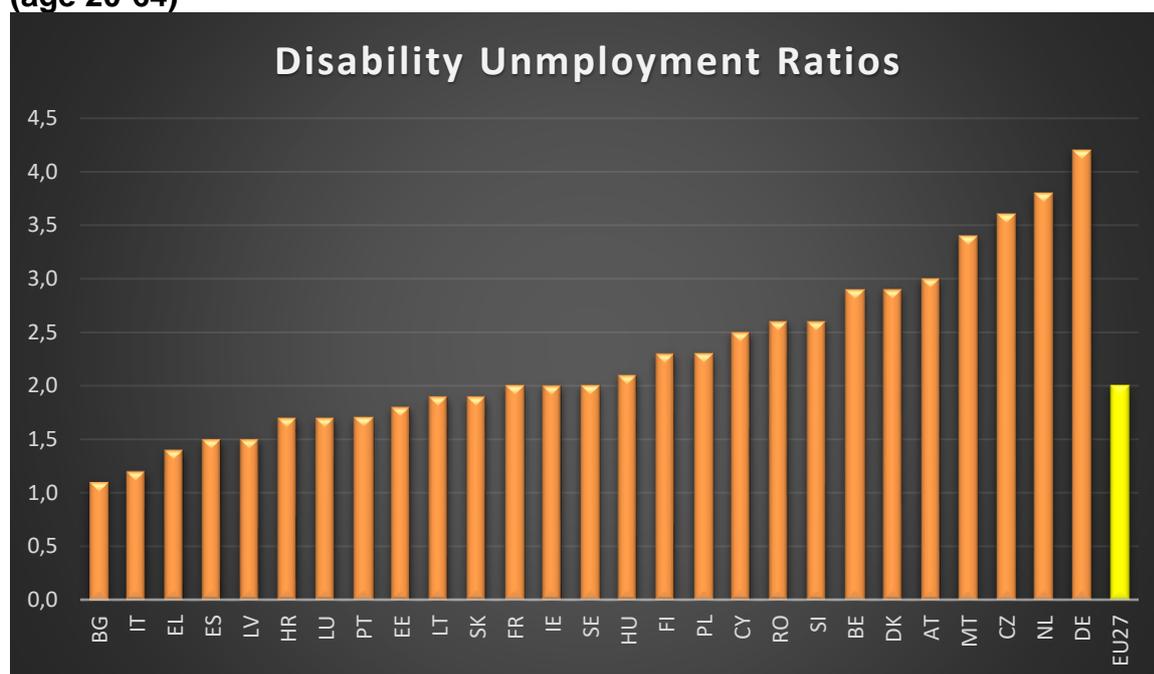
The clustering of countries around the average unemployment trend is closer than for employment rates. For example, the very high rates of general unemployment in Greece, Croatia and Spain are reflected in correspondingly high rates for persons with disabilities (but still five to ten percentage points higher). Conversely, countries with low levels of general unemployment tend to report low levels of disability unemployment too. Some countries report disability rates above the trend expectation, and some below. The reported rate of disability unemployment in Romania has remained notably low in 2020 and 2021 (as it is generally), while higher than expected rates were observed in Ireland, Germany and Sweden in 2020, and in Czechia and Belgium in 2021). This may reflect national conditions during the COVID-19 pandemic and such cases merit further analysis (for example, examining the policy relationship between disability and unemployment status). The explanatory power weakened slightly in 2021 and significant caution is needed to interpret variation between countries and years on this indicator.

**Figure 23: General unemployment rates and disability unemployment rates (2021)**



To provide an indication of the relative chances of persons with disabilities being unemployed compared to other persons in each country an odds ratio is again helpful. In 2019, prior to the pandemic, the outlier was Germany, where the odds of unemployment were 5.7 higher than for other persons. While the risks of unemployment were nearly equal for persons with disabilities and other persons in Bulgaria, they were more than three times greater in Malta (3.4), Czechia (3.6), Netherlands (3.8) and Germany (4.2) in 2021. This is shown in Figure 24.

**Figure 24: Relative unemployment chances for persons with disabilities in 2021 (age 20-64)**



Source: EUSILC UDB 2021 – accessed April 2023 (including 2020 data for Slovakia).

In summary, rates of unemployment for persons with disabilities and other persons should be similar if the labour market is accessible, inclusive and non-discriminatory, an provided there is appropriate employment support (assuming all who enter the labour market are capable of work). Clearly this is not the case.

Unemployment rates are higher for persons with disabilities than for other persons in every EU Member State. The impact of the COVID-19 crisis magnified the gaps in some countries and narrowed them in others. Using an odds ratio of relative unemployment chances provides a way to compare equality outcomes in countries with higher and lower general unemployment rates.

Various supply side and demand side explanations for poor (high) odds ratios are possible in different national contexts, which may also work in combination, for example the extent to which:

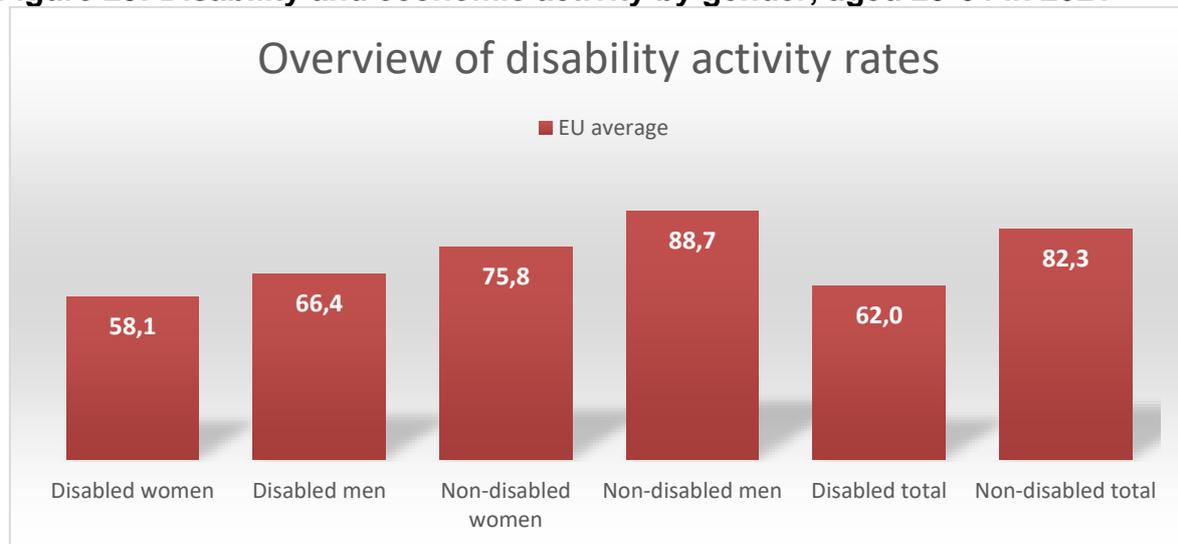
- Employers discriminate against persons with disabilities when hiring from the general pool of job seekers.
- Disabled job seekers lack some of the skills or qualifications needed for the job opportunities available in the labour market.
- Insufficient accessibility or support is available to help suitably qualified disabled job seekers into work, or to sustain them in work.
- Employment policies are directing more persons with disabilities into the labour market than have realistic chances of finding a job.

## 5.2.7 Economic activity

Headline measures of disability employment rates and gaps (as used in the Social Scorecard), and of unemployment rates (as used in the SDGs) are useful equality indicators but they do not tell the whole story. No account of the labour market situation can be complete without an examination of economic activity, and this is of particular concern in the case of persons with disabilities. Disability (sometimes categorised as ‘invalidity’) is one of the key components of economic inactivity, along with old age and informal caring roles.

Across the EU and in every Member State the (gendered) activity rates of working age persons with disabilities fall well below those for other persons in the population. There have been increases in economic activity, which may reflect improving labour market conditions and/or policy advances but the key policy question is whether access to the labour market for persons with disabilities results in raised employment chances (rather than adding to unemployment). Early indications suggested that activity continued to increase for persons with disabilities in 2020 while it began to fall for other persons. However, it is important to note that the relevant EU-SILC survey question changed in 2021, creating a time series break. Nevertheless, the outcomes are rather similar overall. Figure 25 presents an overview of activity for women and men at the EU level, estimated for 2021.

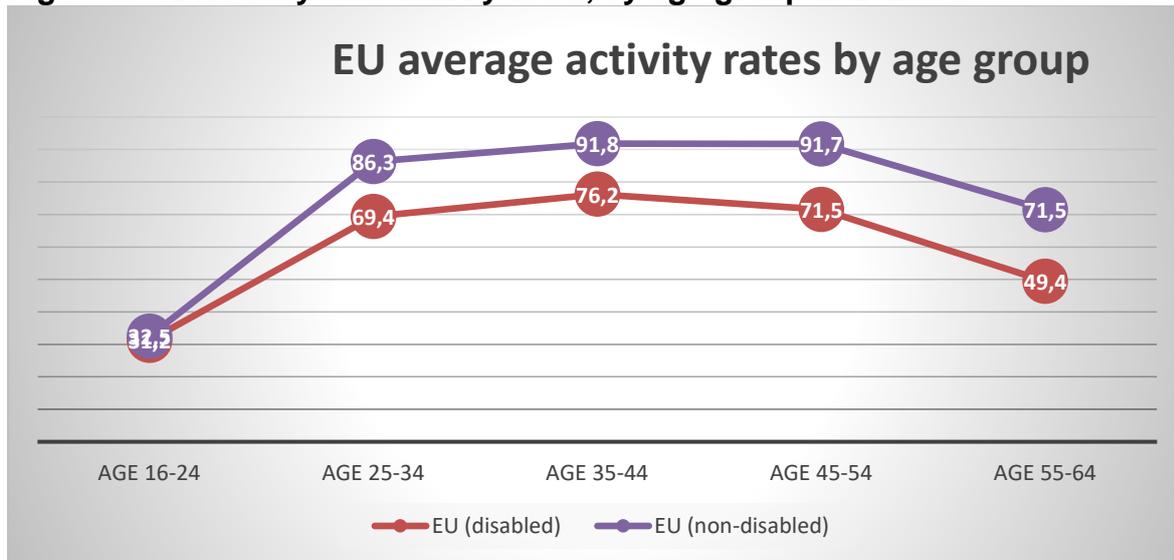
**Figure 25: Disability and economic activity by gender, aged 20-64 in 2021**



Source: EUSILC UDB 2020 – accessed April 2022 (estimated for Germany and Italy).

A familiar pattern is evident across the working age life course, with accentuation of exclusion among older workers (see Figure 26). This reinforces the tendency, discussed earlier, for early exit among workers who acquire impairment later in their working careers (via disability or early retirement schemes). The extent of this gap varies between countries, as shown in the 2022 EDE country fiches.<sup>157</sup>

<sup>157</sup> Data for the youngest age group may be limited for some countries due to smaller sample sizes.

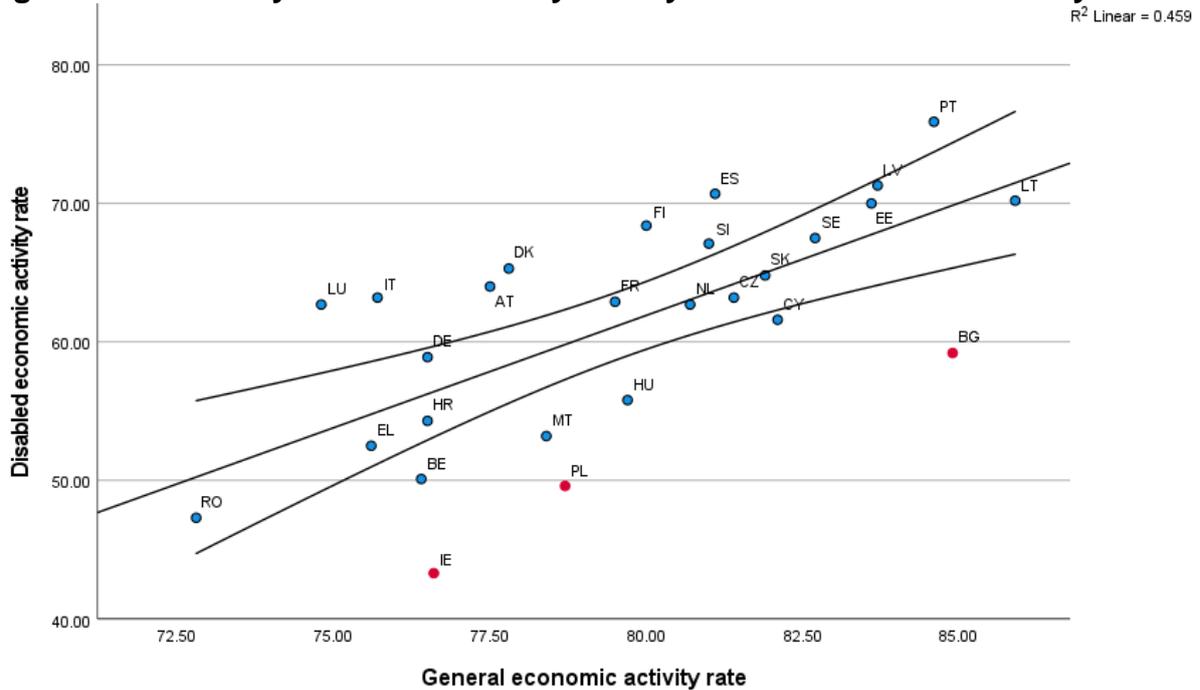
**Figure 26: Disability and activity rates, by age group in 2021**

Source: EUSILC UDB 2021 – version of April 2023 (including 2020 data for Slovakia).

A comparative analysis of economic activity data helps to complete the picture of variation in labour market outcomes for persons with disabilities. We should expect the activity rate of persons with disabilities to vary in proportion to the economic activity rate of the general population but at a lower rate, reflecting a proportion of persons who may be unable to work, temporarily or permanently. As Figure 27 shows, over the past 14 years there is a positive association, and it is statistically significant ( $N=368$ ,  $r=0.691$ ;  $p<.01$ ). However, this association still explains less than half of the variation in disability activity rates between EU Member States ( $R^2=0.478$ ). This suggests that other factors must be involved and may be more significant contributors than for disability employment or unemployment rates (e.g. national policy factors). The most recent data for 2021 are shown in Figure 27.

The data for Ireland continues to indicate very low disability activity rates, which might account for the correspondingly low disability employment rate (but this reflects a low general economic activity rate too). The disability activity gap was also much wider in Bulgaria than would be predicted from the EU trend (with high activity for the general population but low disability activity rates), and for Poland. On the other hand, the cases above the trend line suggest higher rates of activity among persons with disabilities than might be predicted from the general activity rate. For example, this was notable for Luxembourg, Italy, Denmark, Finland and Spain.

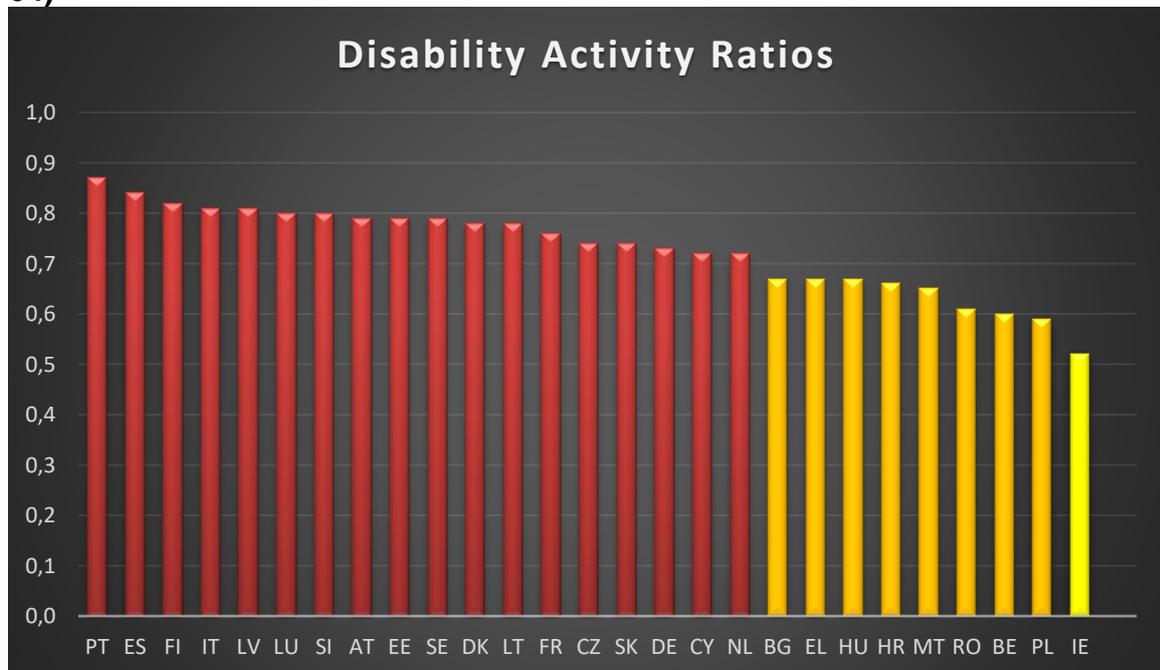
**Figure 27: Disability economic activity rate by General economic activity rate**



Source: EUSILC UDB 2021 – version of April 2023 (including 2020 data for Slovakia).

Again, an odds ratio may help to indicate the relative chances of persons with disabilities being economically active compared to other persons. This is shown in Figure 28, while noting the above anomalies.

**Figure 28: Relative activity chances for persons with disabilities in 2020 (age 20-64)**



Source: EUSILC UDB 2021 – version of April 2023 (including 2020 data for Slovakia).

There is some positive association between self-reported prevalence and the disability activity rate but it is not particularly strong ( $r=0.601$ ;  $p<.01$ ). In countries where more

people self-report in the disability category the activity rate for this group tends also to be higher (according to the hypothesis outlined earlier, this might suggest that the survey captures more persons with low levels of impairment in these countries who are, on average, also closer to the labour market). This observation requires some control and, as with employment outcomes, it is helpful to look also at activity rates for persons declaring a more severe (strong) level of impairment, for example. This analysis (shown in previous EDE and ANED reports) confirms the lack of any clear association between economic activity rates for the general population and those for more people with severe impairments. This adds weight to the need for policy analysis at the national level to explain this. The interactions between disability, employment, unemployment and economic activity will be open to more detailed analysis when the disability variable becomes available in the EU-LFS core dataset, and this should be explored in future years.

In summary, there is wide variation in economic activity. Among countries with generally high levels of economic activity there are several with apparently low rates for persons with disabilities. General rates of economic activity do not explain the variation in economic activity for people with severe impairments very well and this requires national level explanation, including explanations of policy approach.

Disability employment rates, gaps and ratios are necessary but not sufficient to explain the labour market participation of persons with disabilities. Unemployment is relatively small but important category for those seeking employment, and often requiring targeted support, but economic activity is important as a large and widely divergent factor among EU Member States.

The policy mixes that funnel persons with disabilities who are not in employment towards either unemployment or inactivity categories include both employment policies and social protection policies (e.g. the availability and conditionality of disability pension schemes, and the eligibility conditions attached to them).

### 5.2.8 Comparing indicators of employment, unemployment and activity

The previous analyses of headline indicators suggest a complex and often unpredictable interaction between three key labour market indicators for persons with disabilities in EU Member States. A high general employment level does not always predict a high disability employment level at the country level, although there is an average trend to this effect across the EU. The same is true for unemployment rates and activity rates, but not in equal measure or even in equal direction – a low disability employment rate might be associated with a high unemployment rate or a high activity rate (depending, for example, in which direction non-working persons with disabilities are funnelled by national policy options or definitions).



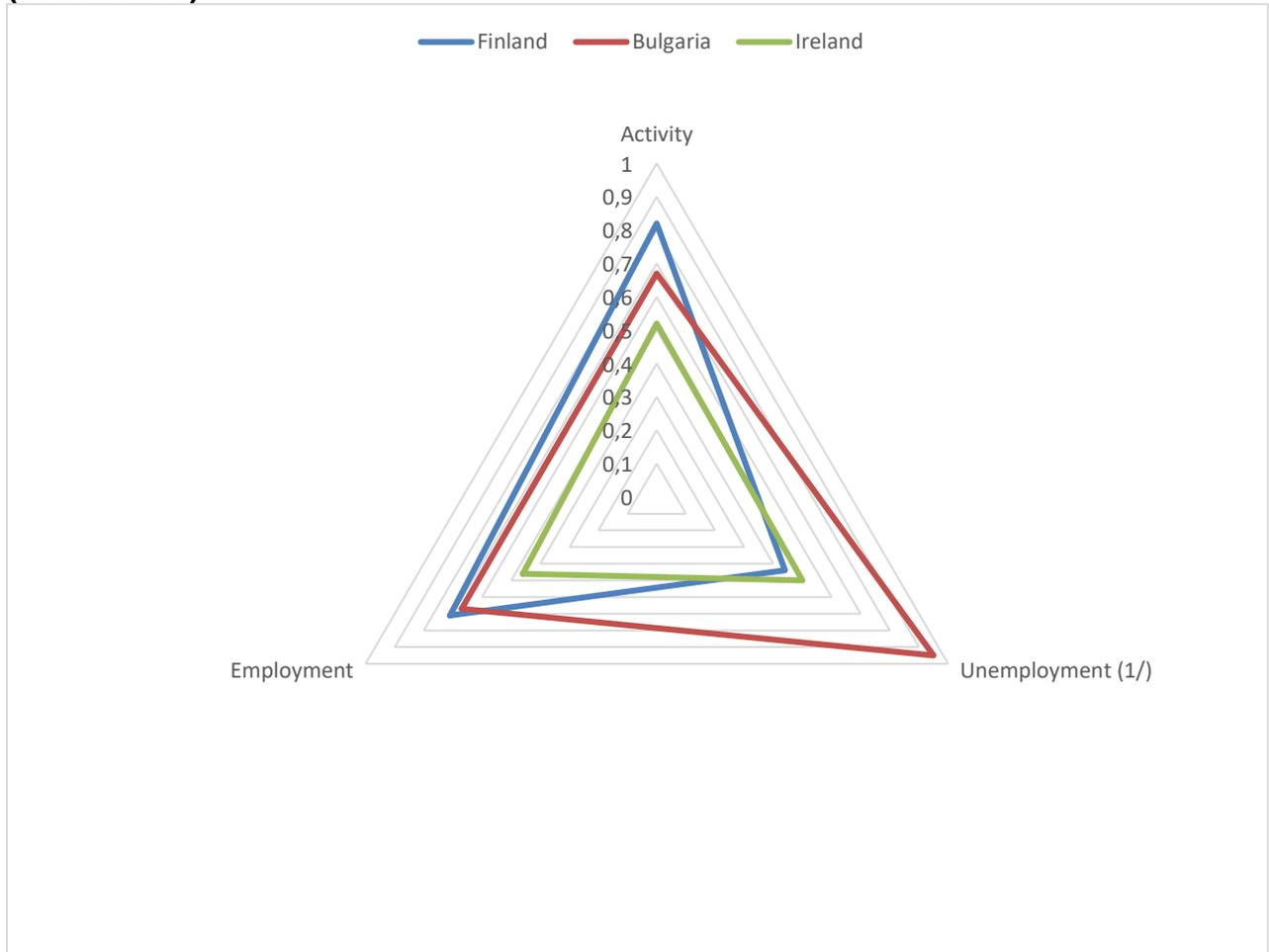
By disaggregating these three factors and equivalising them as odds ratios we can represent the relative extent of the disability equality challenges within and between countries. For example, recent data indicate a parity of unemployment chances for persons with disabilities in Bulgaria (with marginally less chance of being unemployed than other people) but a significant challenge in economic activity (where their odds of being active are only around 0.6 of other persons), and for employment. For comparison, Finland faced fewer inequalities in activity and employment but greater challenges in unemployment. This might suggest that persons with disabilities have a good chance of entering the labour force but that this is not matched by equal chances of finding a job. This example comparison is represented in Figure 29.

This compares the relative chances of being economically active, employed and not being unemployed in each country (the unemployment ratio is inverted to express all three as a positive chance). An odds ratio of 1.0 would mean that persons with disabilities' chances were equal to those of other persons, on average.<sup>158</sup> This approach allows for a clearer comparison of countries on equivalised terms, while noting the considerable caveats and cautions observed earlier. Importantly, this does not represent absolute levels of activity, unemployment or activity but chances relative to other persons in the same country (i.e. a high level of equality does not always mean a high rate of employment). This measure is helpful in identifying the key policy challenges in each country, however.

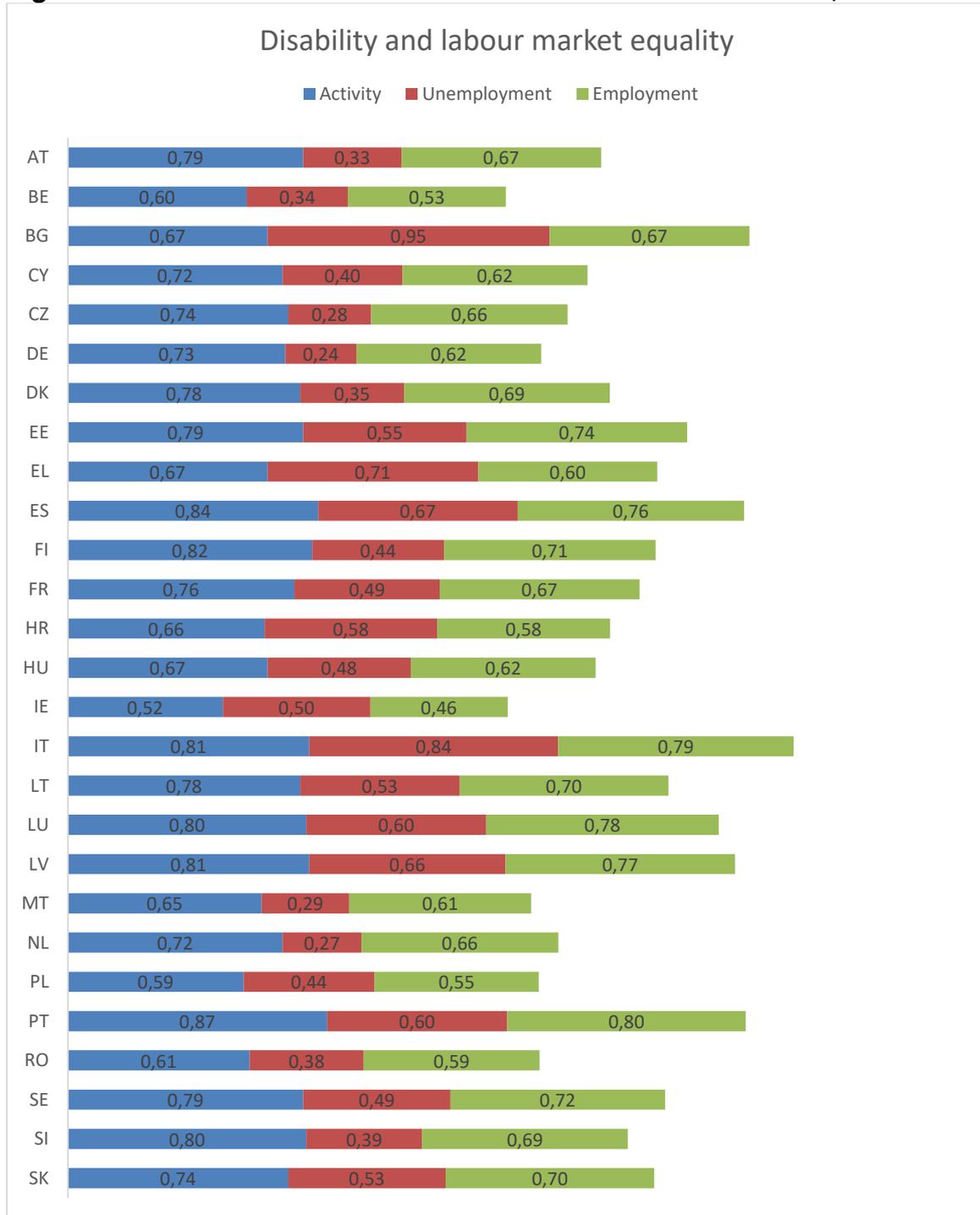
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<sup>158</sup> For the purpose of policy analysis, shorter component bars might suggest areas of policy concern for further analysis at country level. A score of 1.0 in each component approaches parity with other persons.

**Figure 29: Representing and comparing disability equality in the labour market (odds ratios)**



The following summary table provides an overview of the three different indicators in 2021, expressed as odds ratios for all countries. By stacking these ratios the combined total suggests a broad synthetic indicator of labour market equality, although this would need to be contextualised with an examination of methodological artefacts (such as the prevalence factor).

**Figure 30: Stacked odds ratios of inclusion in the labour market, in 2021**

It is important to recall that a minority of persons with disabilities cannot be expected to enter the labour market (i.e. it would not be realistic to expect an activity or employment ratio of 1.). However, with appropriate assessment of work potential and accessible jobs then persons with disabilities' chances of being 'not unemployed' in the labour market should not be markedly worse (less than 1.0) compared to other persons.

### 5.3 Disability and poverty reduction

Several of the insights arising from analysis of the labour market situation are relevant also to indicators on poverty and social exclusion. These indicators are more reliably established as they follow the same EU-SILC methodology as the Semester, and because the summary tables are already published in the disability and income distribution section of Eurostat’s health database.<sup>159</sup> This affords an opportunity to examine some breakdowns beyond the headline indicators and also to consider the additional dimension of access to healthcare, which was highlighted as a concern during the COVID crisis, along with long-term social care.

As noted earlier, the data definitions used to indicate persons at risk of poverty or social exclusion (AROPE) were revised in 2021 – specifically in relation to the components of material deprivation and low work intensity.<sup>160</sup> These revised indicators are used to monitor the EU2030 targets but they are not wholly comparable with past reporting of earlier data. Definitions of financial poverty risks were unaffected by this change, and longitudinal analysis here focuses mainly on these dimensions. However, in context of a cost-of-living crisis, the components of material deprivation index include sub-indicators that may be also relevant to disability equality.<sup>161</sup>

#### 5.3.1 Strategic context

Article 28 CRPD refers to ‘social protection programmes and poverty reduction programmes’ as well as ‘assistance from the State with disability-related expenses’ and ‘retirement benefits and programmes’, access to ‘affordable services, devices and other assistance for disability-related needs’ and to ‘public housing programmes’, while Article 19 refers to ‘in-home, residential and other community support services, including personal assistance’ schemes.<sup>162</sup>

In its concluding observations to the EU, in September 2015, the UN Committee noted ‘with deep concern the disproportionately adverse and retrogressive effect the austerity measures in the EU have on the adequate standard of living of persons with disabilities’. It recommended that the EU should:

‘... take urgent measures, in cooperation with its Member States and representative organisations of persons with disabilities, to prevent further adverse and retrogressive effect of austerity measures on the adequate standard of living of persons with disabilities, including by the provision of a minimum social protection floor.’<sup>163</sup>

<sup>159</sup> Eurostat (2021) Health database: <https://ec.europa.eu/eurostat/web/health/database>.

<sup>160</sup> Eurostat, *Glossary: At risk of poverty or social exclusion (AROPE)*, 2021, [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:At\\_risk\\_of\\_poverty\\_or\\_social\\_exclusion\\_\(AROPE\)](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:At_risk_of_poverty_or_social_exclusion_(AROPE)).

<sup>161</sup> Such as ‘Inability to face unexpected financial expenses by level of activity limitation, sex and age’ (hlth\_dm040), or ‘Ability to make ends meet by level of activity limitation, sex and age’ (hlth\_dm060).

<sup>162</sup> See: <http://www.ohchr.org/EN/HRBodies/CRPD/Pages/ConventionRightsPersonsWithDisabilities.aspx#28>.

<sup>163</sup> See: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEU%2fCO%2f1](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEU%2fCO%2f1).

In 2017, the UN Committee recommended Slovenia to ‘Restore all support measures curtailed under the austerity policy and prevent any hardship that may be faced by persons with disabilities whose income was reduced as a result of that policy’.<sup>164</sup> In its 2017 Recommendation to Cyprus the UN Committee also picked up the concept of a ‘social protection floor that is not affected by expenses for disability-related costs and assistive devices and user payments for social services and support’.<sup>165</sup> This is highly relevant to the Social Pillar principles, from a disability perspective. In its 2018 recommendations to Bulgaria the Committee sought to ‘incorporate the human rights model of disability in the assessment process’,<sup>166</sup> a topic also explored at length by ANED.<sup>167</sup> Addressing Poland, the Committee looked for disability mainstreaming in ‘the national strategy for reducing poverty with concrete measures and relevant budget’ (similar recommendation was given to Estonia in 2021<sup>168</sup>).

It also provided more specific policy advice, recommending Poland ‘Ensure that the employment of persons with disabilities does not make them ineligible for disability-related protection schemes, such as disability allowances’.<sup>169</sup> In the UN’s 2015 examination of Croatia concern was expressed about the number of people living in poverty (notably among Roma and rural communities) but also about ‘the use of a restrictive financial assets test, which has downgraded the disability benefit’. The Committee recommended that ‘poverty reduction programmes be strengthened’ in this respect.<sup>170</sup> In 2022, the Committee recommended Hungary to ‘Redress the negative impacts of the reform of the disability benefits schemes in 2012 and ensure that persons with disabilities are compensated for the damage caused by the reform’.<sup>171</sup>

Within the sphere of social policies, Article 19 CRPD is particularly relevant to the Semester concerns with long-term care. Guidance and interpretation is provided in the UN Committee’s *General Comment No. 5 on independent living and being included in the community*, adopted in October 2017.<sup>172</sup> Most social care concerns support for

<sup>164</sup> See:

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fSVN%2fCO%2f1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fSVN%2fCO%2f1&Lang=en).

<sup>165</sup> See:

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fCYP%2fCO%2f1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fCYP%2fCO%2f1&Lang=en).

<sup>166</sup> See:

[https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fBGR%2fCO%2f1&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fBGR%2fCO%2f1&Lang=en).

<sup>167</sup> Waddington, L., & Priestley, M. (2021). A human rights approach to disability assessment. *Journal of International and Comparative Social Policy*, 37(1), 1-15. doi:10.1017/ics.2020.21.

<sup>168</sup> See:

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEST%2fCO%2f1&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fEST%2fCO%2f1&Lang=en).

<sup>169</sup> See:

[https://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fPOL%2fCO%2f1&Lang=en](https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fPOL%2fCO%2f1&Lang=en).

<sup>170</sup> See: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fHRV%2fCO%2f1](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD%2fC%2fHRV%2fCO%2f1).

<sup>171</sup> See:

[https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD\C\HUN\CO2-3&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRPD\C\HUN\CO2-3&Lang=en).

<sup>172</sup> See:

[http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/5&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRPD/C/GC/5&Lang=en).

persons with disabilities, whether or not they are administratively identified as such, including the increasing number of older persons with care needs. These populations were significantly affected during the COVID-19 crisis, with those in residential care at higher risk of death and those supported in the community at higher risk of isolation and exclusion.

Article 25 CRPD addresses rights to health, including rights to ‘the same range, quality and standard of free or affordable health care and programmes as provided to other persons’ as well as ‘health services needed by persons with disabilities specifically because of their disabilities’. Statistics on unmet need for medical care were introduced to the EDE country fiches and may provide an important indicator of any differential impacts for persons with disabilities evolving from the crisis.

These policy reference points are important for the Semester reviews. Social policies are, mostly, within the competence of the Member States and the EU disability strategy clearly acknowledges that persons with disabilities and their families are at higher risk of financial poverty, due to weaknesses in the labour market and social protection (including disability benefit rules). A new study and guidance on social protection was carried out in 2022 and the Commission called on Member States ‘to further tackle gaps in social protection for persons with disabilities to reduce inequalities, including by compensating extra costs related to disability and eligibility for disability benefits’ (p. 13). The strategy also underlined the need for equal access to healthcare without discrimination.

### 5.3.2 Disability, poverty and social exclusion

Data on the social situation of persons with disabilities is presented in the EDE statistical review accompanying this synthesis report (using the most recent EU-SILC microdata from 2021) and following the Eurostat methodology. This data is also available on the Eurostat database in summary statistical form, including tables for 2022 (as available at the time of writing in June 2023). In this case it is not necessary to make comparisons with the EU-LFS, although that survey may present interesting data from a large sample when the disability variable becomes available for analysis later in 2023 (e.g. the EDE statistical reports have included estimations of disability pay gaps and so on).

The EU-SILC data provides indicators of the key risks for persons with disabilities, including household risks of low work intensity, low income (after social transfers), and material deprivation. These three measures are combined in the overall estimate for risk of poverty or social exclusion (AROPE).<sup>173</sup> Relevant data from national sources was provided in each of the EDE country fiches in 2020 and 2021, where available. These are divided by main age groups (for all persons aged 16 and over, 16-64, and 65+). The EU-SILC survey does not routinely distinguish ‘activity limitation’ for children under the age of 16 so it has not been possible to disaggregate disability estimates of child poverty from this survey annually.<sup>174</sup> A 2017 ad hoc module included items on

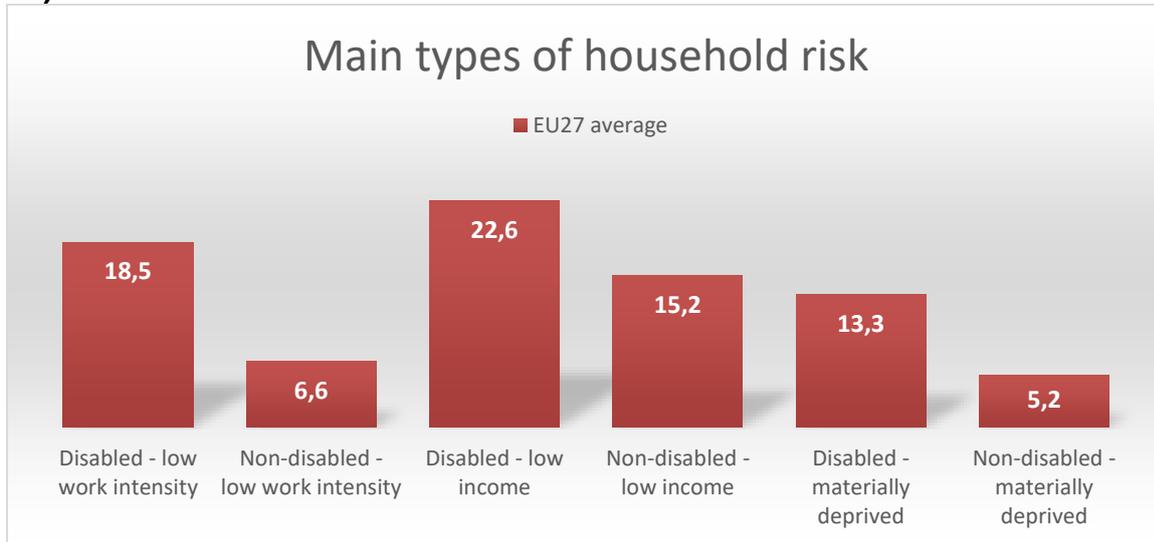
<sup>173</sup> The risks for older people do not include work intensity (Eurostat refers to the age group 0-59 for this measure).

<sup>174</sup> See: <https://ec.europa.eu/eurostat/web/microdata/european-union-statistics-on-income-and-living-conditions>.

children’s health and this survey estimated prevalence of around 4 % disabled children (3.2 % moderate, 0.8 % severe) among private households with dependent children (the survey does not include congregative/institutional households). The sample data for several Member States was not sufficient to report poverty outcomes reliably.

Table 25 summarises the aggregate data on poverty or social exclusion risks from which the EDE statistical indicators were developed, updated from the Eurostat database for 2022. These confirm that, on average and across the EU, persons with disabilities experience relative disadvantage on all three main measures. This is the case in every Member State to varying degree. It is worth noting that indicators of the main poverty risks increased between 2019 and 2020 with the onset of the COVID-19 crisis, although trends and comparisons during the subsequent period under review here (2021-2022) should be treated with caution due to the exceptional situation (as well as the discontinuity of data definitions for work intensity and material deprivation).<sup>175</sup>

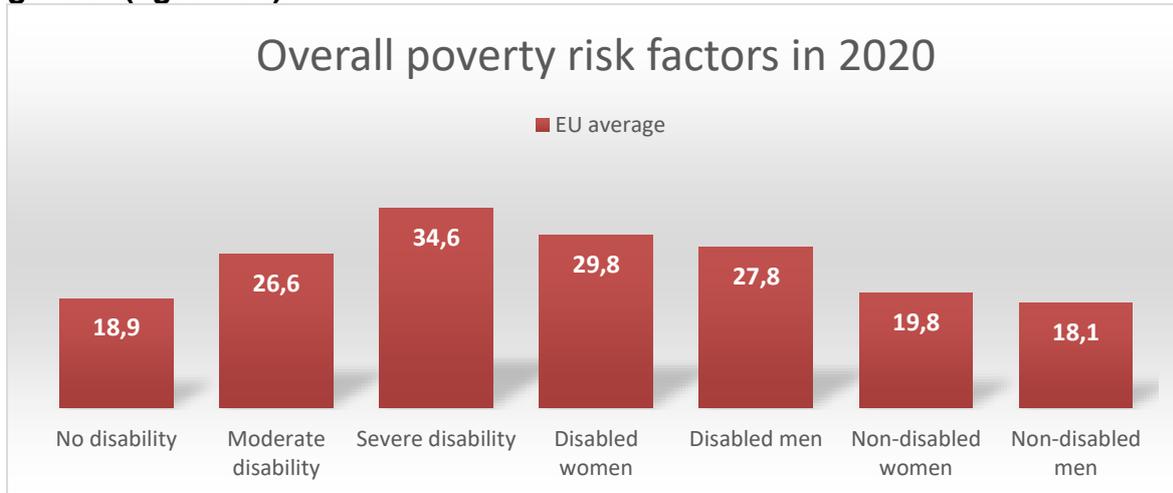
**Table 25: Disability and the risks of poverty or social exclusion in 2021 (age 16-59)**



Source: EUSILC UDB 2021 – accessed April 2023

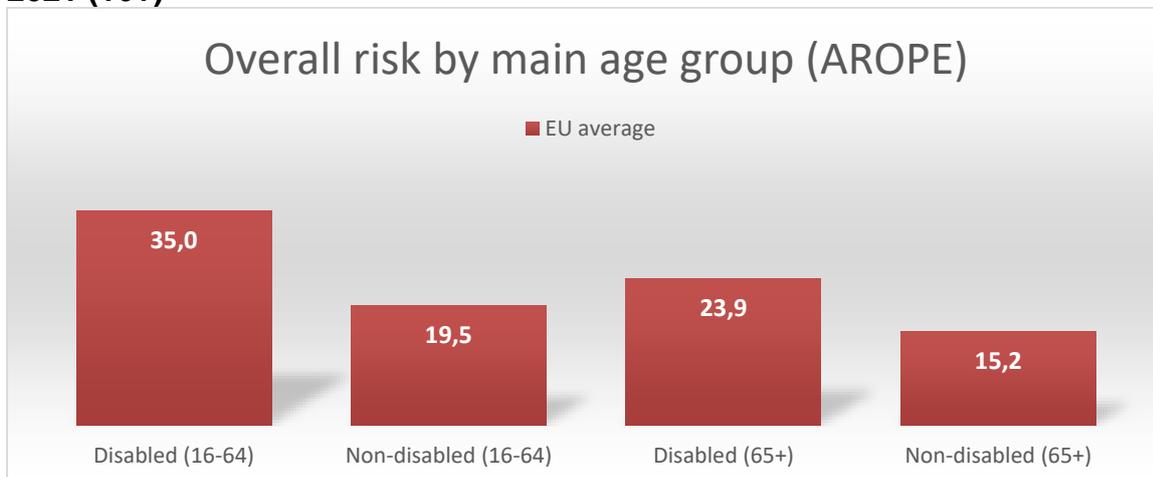
There is a clear association with severity of reported impairment and with gender equality (shown in Table 26 for 2020). The data on severity for Germany was missing for 2021, which distorts the EU27 average for that year. Persons reporting more severe levels of impairment face higher risks of poverty or exclusion, as do women when compared to men.

<sup>175</sup> The net effect is a small reduction in the indication of risk for persons with disabilities overall.

**Table 26: People living in household poverty or exclusion by disability and gender (aged 16+)**

Source: EUSILC UDB 2020 – accessed April 2022

Importantly, there are large differences in the average risks for adults of working age and for older adults (aged 65+). These are shown in Table 27. The elevated risks for adults of working age are mainly linked to the importance of employment income. Employment and the adequacy of working age disability benefits remain key factors when predicting poverty risk for persons with disabilities in the EU (as reported in the past by ANED).<sup>176</sup>

**Table 27: Risk of household poverty or exclusion by disability and age group, 2021 (16+)**

Source: EUSILC UDB 2021 – accessed April 2023

Following the earlier analysis of the labour market situation it is relevant to consider policy priorities and to contextualise general trends or anomalies arising from the headline statistics. It is important to acknowledge, for example, that the socio-economic situation varies considerably among the Member States and that this should be considered when measuring disability equality. In essence, persons with disabilities have rights to equality of opportunity and participation *compared to other persons in*

<sup>176</sup> See: <http://www.disability-europe.net/theme/social-protection>; <http://www.disability-europe.net/theme/statistical-indicators>.

*the same population*. For this reason, equality gaps and ratios per country are often more policy relevant than headline rates (e.g. countries with lower levels general poverty should have lower levels of disability poverty too and a higher national average rate, compared to other Member States, does not necessarily imply greater disability equality within a country).<sup>177</sup>

Rates of financial poverty, before and after social transfers, for different age groups, appear to be the most policy-relevant measures. A measure of in-work-poverty is also relevant from a policy perspective. The relative odds (ratio) of poverty risk for persons with disabilities compared to other persons in the population is perhaps the most useful headline for comparison.

### 5.3.3 Age factors in poverty risk

As mentioned earlier, age plays a significant part in explaining average risks of poverty among persons with disabilities in European countries. The prevalence of impairment increases rapidly with age, from mid-adulthood onwards. Persons with disabilities in old age are at higher risk of poverty than other persons of similar age. This includes two sub-groups that cannot be easily disaggregated from the SILC data. Some older persons have experienced disability during their younger life and have grown old with impairment, but many older persons acquire impairments later in life. In terms of poverty risk, both may be adversely affected by disability risks (such as additional costs of living associated with impairment) but the latter group might benefit from the protective influence of occupational or public pension rights accumulated prior to becoming disabled (i.e. as non-disabled adults) when they may have experienced less risk of exclusion from employment.

To understand the differences in poverty risk for older and younger disabled adults it is helpful to examine the comparison with other persons in the same age group in more detail, using data from the Eurostat database updated for 2022 (provisional data for France and Cyprus). Figure 31 plots the general risk of poverty among 16-64 year-olds in each Member State with the risk for persons with disabilities in that age group, using a similar method to the plots summarising the labour market situation earlier. Figure 32 shows similar comparison for those aged 65 and over.

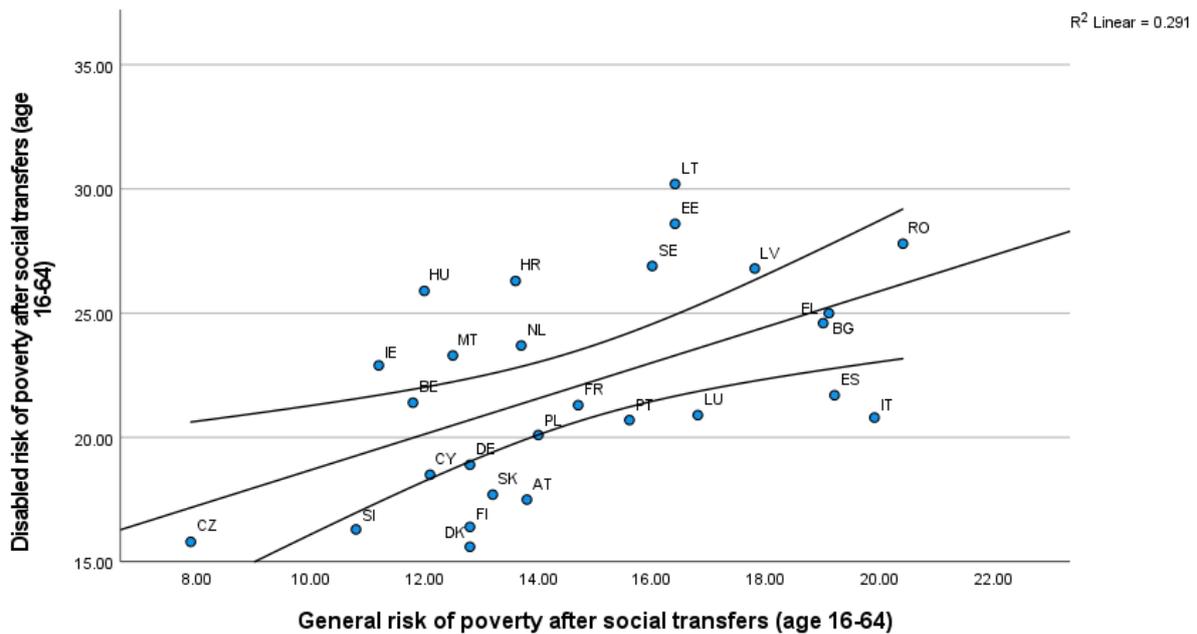
This suggested that average risk of poverty after social transfers in 2020, among older people in general, very strongly predicted poverty risk among older persons with disabilities ( $r = .989$ ;  $p < .01$ ;  $R^2 = 0.979$ ). This positive association predicted more than 90 % of the variation between countries in disability poverty risk rates for this age group but only about half of the risk among the working age group ( $r = .703$ ;  $p < .01$ ;  $R^2 = 0.495$ ).<sup>178</sup> In 2022, following the COVID-19 pandemic and the war in Ukraine, this age difference was even more marked. For older people, the association was as strong ( $r = .992$ ;  $p < .01$ ;  $R^2 = 0.985$ ) but for working age adults it was notably weakened, and explained less than a third of the country variation ( $r = .540$ ;  $p < .01$ ;  $R^2 = 0.291$ ).

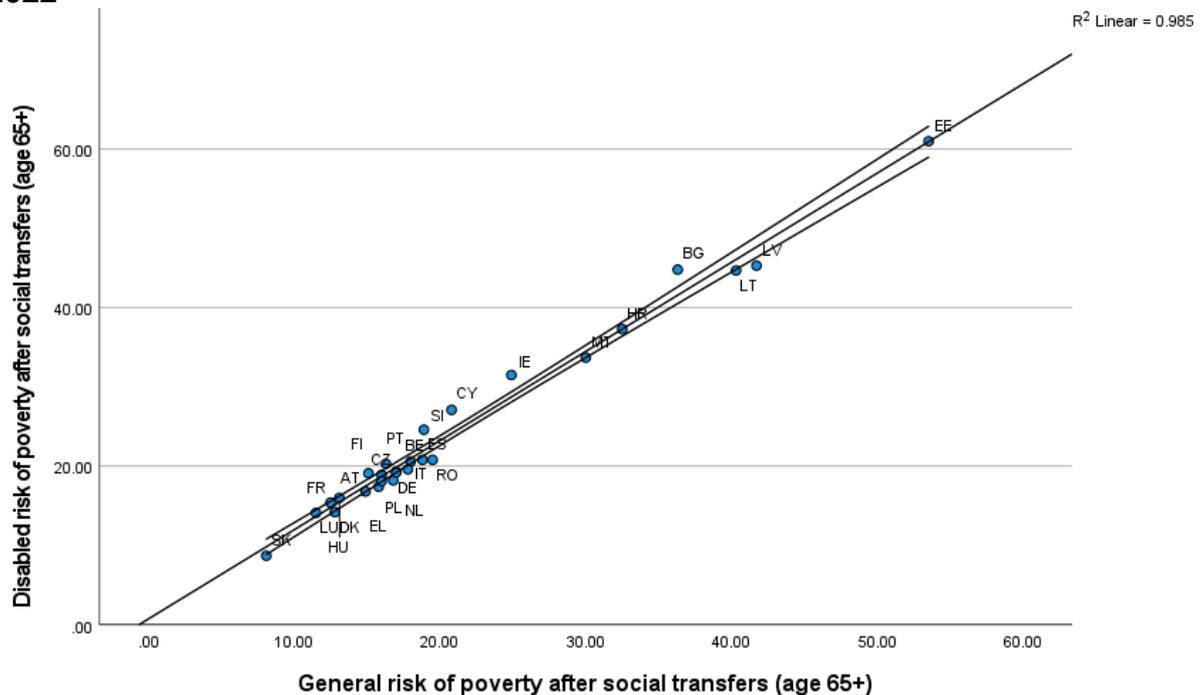
<sup>177</sup> The effect of prevalence estimates is also relevant for consideration as context to the interpretation of these measures.

<sup>178</sup> This is partly accounted for by the fact that an increased proportion of the general population contains the comparator group of disabled persons, but the general comparison helps to dilute the prevalence effect discussed earlier.

In 2020, the disability poverty rates after social transfers were higher than predicted from the general trend for working aged people in Croatia, Sweden, Hungary, Ireland, Malta, Germany and Estonia. They were somewhat lower than predicted in Finland, Denmark, Austria and Slovakia. This might reflect differences in social protection levels but should be contextualised for methodological artefacts, and for the exceptional circumstances then emerging from the COVID-19 crisis. In 2022, the disability poverty risk was notably elevated in Lithuania (above 30 %).

**Figure 31: General poverty risk and disability poverty risk rates (aged 16-64) in 2022**



**Figure 32: General poverty risk and disability poverty risk rates (aged 65+) in 2022**

This age divergence is relevant from a policy perspective because it suggests that general poverty alleviation measures targeting older people, including old age pensions, might benefit a significant proportion of persons with disabilities (in Denmark the risks after social transfers are equivalent). It is also relevant that many in this age group will have accumulated occupational pension protection during their working lives prior to becoming disabled. However, the use of an average poverty risk indicator can mask the hidden costs of living with disability in old age and the accumulated disadvantage faced by the minority who have long-standing or more severe impairment conditions. Added to this are the potential costs of means-tested long-term care services. Targeted disability policies are still needed to close the disability poverty gap in old age.

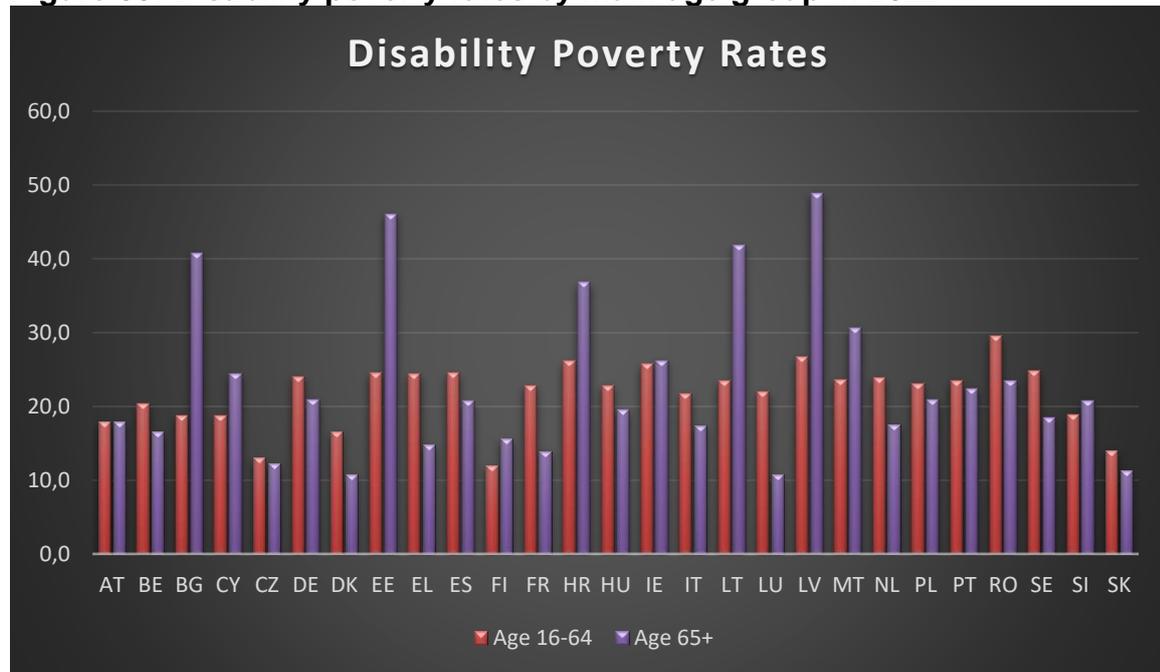
By comparison, general levels of poverty risk do not predict the variation of risk for younger disabled adults as clearly. Countries with lower poverty risks in this age group do tend to have lower risks for persons with disabilities but the explanatory power of this positive association is weaker, and has been weakened further since the COVID-19 pandemic and the war in Ukraine. This may be due to the variable influences on employment chances (discussed earlier) and the adequacy of social protection benefits (including disability benefits) in different countries.<sup>179</sup> The exceptional socio-economic circumstances during the period under review make reliable comparisons difficult and so country level analysis is always necessary for explanation.

Observing the differences between the main age groups reveals anomalies of policy interest. In particular, while the average risk of poverty after social transfers is higher for working age persons with disabilities in some Member States the reverse is

<sup>179</sup> It may also be affected to some extent by variations in the reported rate of disability prevalence, as discussed earlier (but this is not the determinant factor).

observed in others. For example, the poverty rate for older people in Bulgaria, Estonia, Latvia, Lithuania and Croatia appeared much higher than for younger adults, but the reverse was indicated for Luxembourg, Slovakia or Hungary. This is shown in Figure 33 and might be explained by a combination of differences in labour market opportunities, social protection policies, or sampling/response factors in national surveys. It is important to underline that these are measures of financial poverty relative to a national norm rather than absolute measures.

**Figure 33: Disability poverty rates by main age group in 2022**



Source: EUSILC UDB 2020 – accessed April 2022

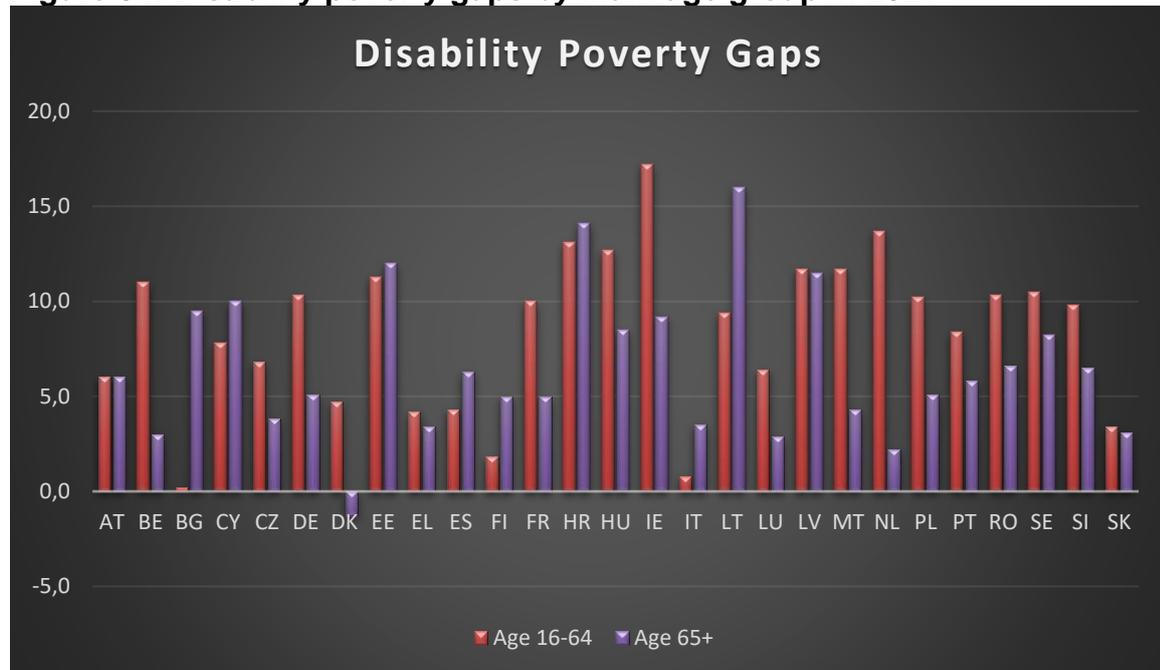
These anomalies are further evident when we look at disability equality gaps in the risk of poverty. In most countries these gaps were wider among younger adults but in some countries this pattern was reversed (notably in Latvia, Estonia and Bulgaria). In 2021, the picture was less clear with opening and closing gaps in different countries according to different socio-economic conditions. Again, it is important to note that the risk rates underlying these gaps are for relative not absolute financial poverty, after social transfers. Where the poverty risk for the general population has risen (e.g. because of reduced employment chances during COVID-19) the disability poverty gap may also have narrowed temporarily.

The poverty gaps between the rate of risk for persons with disabilities and other persons in each main age group are shown in Figure 34. Some of these risk gaps are substantial, for example in the working age group it was more than ten percentage points in ten Member States in 2020 (and above 15 points in Croatia). For the older group it was above ten points in seven Member States (nearly 15 points in Croatia and above in Estonia). In Denmark, where poverty risk is very low, older persons with disabilities retained a marginal advantage over their non-disabled peers, on average. Such anomalies draw attention to the relative nature of the disability poverty measure, relative to average income and relative to non-disabled people. In Bulgaria, in 2021, the disability poverty gap (after social transfers) was reduced to near zero among the working age population but remained at 9.5 percentage points among older people. In

Lithuania, the gaps were 9.5 points and 16 points, respectively (the widest gap for the older age group in the EU). The widest disability poverty gap in 2021 was indicated among working age people in Ireland, at 17.2 points.

Disability poverty risks vary over the life course and require distinct policy responses. It is important to disaggregate indicators of poverty risk for the main age groups in policy discussions (and to add child poverty indicators in the future).

**Figure 34: Disability poverty gaps by main age group in 2021**



Source: EUSILC UDB 2021 – accessed April 2023

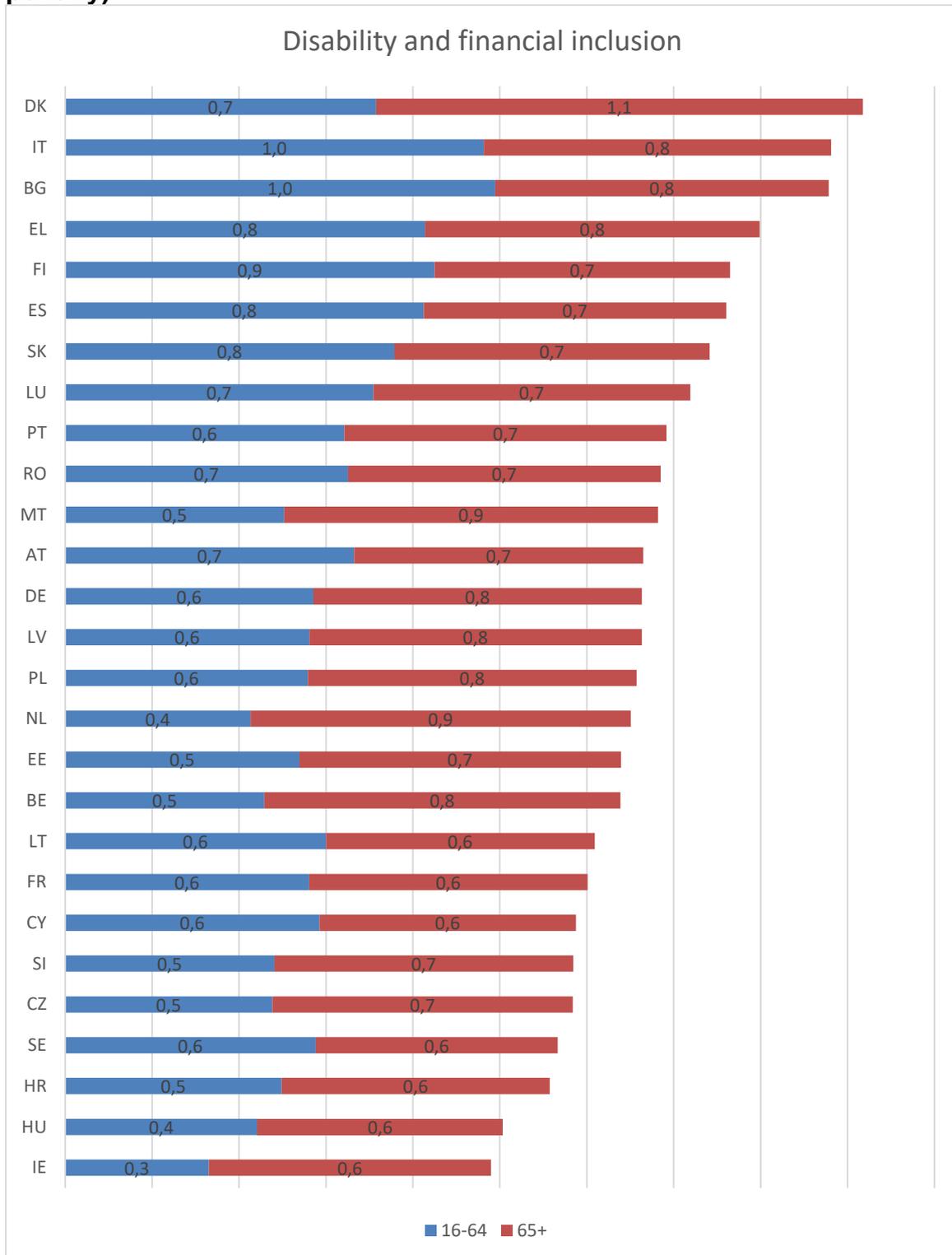
### 5.3.4 A summary indicator of poverty risk

To complete this situational analysis of poverty risk, it is useful to compare relative disability risks within countries using an inverted odds ratio (as shown in Figure 35). For example, where the risk of living in poverty is 2 times greater for persons with disabilities than other persons then then inverted ratio (0.5) represents the relative chances of avoiding poverty. Using these odds has the effect of standardising the poverty rate indicators to represent the relative chances for persons with disabilities in each age group, compared to other persons in the same age groups.<sup>180</sup> In practice, these risks arise from the interaction of labour market inclusion and social protection policies over a lifetime. Relative poverty risk provides a good, and well tested, method to compare within and between countries but it is interesting to look also to the relative chances of being in poverty across countries. However, considerable caution is needed when contextualising poverty risk using data during the period under review, since the onset of the COVID-19 crisis in 2020.

<sup>180</sup> i.e., the risk estimation is reversed as a ratio of non-disabled poverty risk to disabled poverty risk (so that 1 rather than 0 equates to parity between groups).

On this basis, in 2021, persons with disabilities had on average only a 0.7 chance of avoiding poverty, compared to other persons in the population. There was a one-to-one ratio of poverty risk among working age persons in Bulgaria, and among older persons in Denmark the risk weighed slightly in favour of older persons with disabilities. In Belgium, Czechia, Estonia, Croatia, Malta and Slovenia working age persons with disabilities were twice as likely to risk poverty (0.5) compared to other persons in the same age group. The relative chances of persons in this group avoiding poverty were even lower than this is the Netherlands, Hungary (0.4) and Ireland (0.3).

**Figure 35: Disability poverty risk ratios in 2021 (1 / risk, chances of not being in poverty)**



Source: EUSILC UDB 2021 – accessed April 2023

## 6 Summary and conclusions

This synthesis report has provided an updated overview of the 2023 Semester cycle, from a disability perspective, and assessing developments during the review period of the EDE contract (2020-2023). It included evidence from three cycles of the European Semester co-ordination process, following on from Semester reviews previously conducted by ANED. It drew on evidence of disability equality mainstreaming in the Semester documentation (the Autumn and Spring Packages), as well as relevant themes from the Recovery and Resilience Plans, from dialogues with the UN CRPD Committee, from the current disability strategies and action plans of the EU and its Member States, and from the most recent EU data indications (for the years 2021 and 2022, where available).

The period under review has been an exceptional one, marked by the impact of the COVID-19 pandemic in 2020 and 2021, and the war in Ukraine in 2022. The format of the Semester was simplified, amended in 2021, and returned to a 'new normal' pattern in 2022-2023. In 2023, it was possible to preview National Reform Programmes, Commission Country Reports and Country Specific Recommendations that had been missing in preceding cycles. There was also new information for some Member States from the CRPD dialogue, which is relevant for disability mainstreaming in the Semester. The EU and its Member States updated and began to implement new disability strategies and action plans. The investment decisions made in 2020, concerning the Recovery and Resilience Facility, also moved into their implementation phase in 2021 and 2022.

The addition of a disability employment gap indicator in the Social Scorecard was a significant step forward in 2021, although still relying on an interim method of calculation using data from EU-SILC in 2022. There were further changes to the general method of calculating the headline AROPE measure, as well as time series breaks in some countries on some disability-relevant measures. Caution is needed when interpreting this data, and other indicators during the period of the COVID-19 crisis and responsive measures. These, as well as dramatic changes in the refugee and cost-of-living situation arising from the war in Ukraine, had significant impacts on employment, household income, access to services, including health services and education. Some volatility in the data is inevitable, and with varying impacts between countries.

The report revisited some key questions about the reliability of disability equality data based on self-reported status, such as the GALI measure of activity limitation used in EU social surveys. In particular, the situational analysis considered the explanatory impact of factors associated with age and impairment prevalence. In relation to age, there is a need to disaggregate disability equality indicators for the working age population from the older population, as they face different risks and outcomes (as do children, for whom few indicators are available). This disaggregation is essential to understand the key role that employment chances and different types of social benefits play in relative risks of household poverty, for example. In addition, the report presented proposals for synthetic indicators, using odds ratios derived from the headline statistics, which might aid future analysis and comparison.

In June 2022 the employment and social affairs ministers of the EU Member States presented their national targets for 2030 to achieve the headline EU 2030 targets put forward in the European Pillar of Social Rights action plan.<sup>181</sup> The three headline targets mirrored the social concerns of the Semester and the thematic priorities of the disability country fiches prepared by EDE (with employment, skills and poverty or social exclusion). Namely, at the EU level:

- at least 78 % of people aged 20 to 64 should be in employment;
- at least 60 % of all adults should participate in training every year; and
- the number of people at risk of poverty or social exclusion should be reduced by at least 15 million, including at least 5 million children, compared to 2019.

The Pillar Action Plan emphasised that action was needed to ensure that discouraged groups (including persons with disabilities) participate fully in the labour market. As shown in this synthesis report, the exclusion of persons with disabilities from full participation and equality in European labour markets, as well as the cumulative failures of social protection systems, makes a notable difference to achieving these targets. There remain large disability equality gaps in many EU Member States in each of these areas. Closing them will be a necessary part of the overall task and requires a targeted approach to achieving this. Creating more accessible and inclusive job opportunities, providing flexible and long-lasting employment and educational support, and ensuring the adequacy of social protection systems for will be key. This, in turn, requires renewed attention to mainstreaming disability equality as a core concern in developing and monitoring employment, training and social protection strategies and measures.

The addition of a disability employment gap indicator in the Social Scoreboard was an important step forward and illustrates how disability equality can be easily mainstreamed. The initiation of a Disability Employment Package in 2022, and the promised utilisation of disability statistics from the EU-LFS in 2023-24, indicates a commitment to further mainstream disability equality in the central policy areas with which the Semester is concerned. Achieving this in the key target area of employment also demonstrates how mainstreaming can be further developed in the areas of poverty reduction and adult learning.

The strong Semester policy focus on employment is important but it tends to introduce an analytical bias towards persons of traditional working age. This should not obscure the need to analyse risks for other age groups (notably among the expanding population of older workers and retired persons, as well as children). There is a close relationship between employment and poverty reduction and, as this synthesis report shows, financial poverty after social transfers is a key indicator of outcomes for households including persons with disabilities (a majority of whom may be above normal working age or unable to work intensively). A focus on this measure, and the effectiveness of social policies in addressing it, should be highlighted where possible.

The raised profile of the Pillar of Social Rights following the adoption of the Pillar action plan in 2021, as well as the pandemic response and an ageing population, have

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<sup>181</sup> State of Play on the National Targets For 2030, release 16 June 2022, <https://ec.europa.eu/social/BlobServlet?docId=25728&langId=en>.

heightened interest in more flexible employment options and stronger social policies (including income protection, social care and access to health care, as well as adult learning). There is an opportunity to capitalise on these themes from a disability perspective. For example, the general case for investment in flexible working favours discussion of reasonable accommodation for workers with disabilities in quality jobs, including teleworking where appropriate. Likewise, arguments for investment in digitalisation, energy saving or sustainable transport all favour discussions of accessibility and inclusion for persons with disabilities. The sustainability challenges of longer working lives, pensions, healthcare and long-term care affect older persons with disabilities disproportionately. The attention drawn to vulnerabilities in the pandemic pointed to the need for more rapid deinstitutionalisation but also for adequacy of social support in communities to promote independence and minimise social isolation. Conversely, if disability equality is not addressed in the implementation of these investment commitments, then the exclusion of persons with disabilities may be compounded.

The resumption of a more familiar Semester reporting cycle in 2023 provided greater opportunities to inject a disability perspective in the analysis (and this was evident in some of the National Reform Programmes and Commission Country Reports). There was, again, a high visibility for disability equality issues in the 2023 Joint Employment Report. The guidance on equality mainstreaming in the Recovery and Resilience Plans in 2021 was a promising development and could be equally applied to preparation of National Reform Programmes. Despite this, disability became less visible in the country-level analyses or less consistent in coverage between countries. Countries posing the greatest concerns on disability equality measures did not always paid attention to these challenges. Key concerns raised by Commission staff were not responded to or mentioned in Country Specific Recommendations. It is not surprising that priority was given to fiscal challenges arising from the COVID-19 crisis, and to socio-economic challenges arising from the war in Ukraine, during the period of the review. Nevertheless, as with gender mainstreaming, a methodology for disability equality mainstreaming is needed to ensure at least a baseline of consideration in all stages of the Semester process.

Policy coherence and coordination in the Semester can be enhanced by acknowledging the connections between the evidence collected for national disability action plans, evidence reported to the UN CRPD, and evidence reported in the Semester. Several of the Member States now cross-reference their national disability action plans and CRPD implementation within their National Reform Programmes, and some of these also make links to EU disability strategy. Such synergies facilitate good practice in the multi-level governance of disability policies (national, European and global), in which the Semester strengthens the EU's supportive role as a regional integration organisation under the UN CRPD.

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