

OPINIONS

EUROPEAN ECONOMIC AND SOCIAL COMMITTEE

479TH PLENARY SESSION HELD ON 28 AND 29 MARCH 2012

Opinion of the European Economic and Social Committee on 'Young persons with disabilities: employment, inclusion and participation in society' (exploratory opinion)

(2012/C 181/02)

Rapporteur: **Mr VARDAKASTANIS**

In a letter dated 9 December 2011, and in accordance with Article 304 TFEU, Ms Karen Hækkerup, Danish Minister for Integration and Social Affairs, asked the European Economic and Social Committee, on behalf of the Danish Presidency, to draw up an exploratory opinion on

Young persons with disabilities: employment, inclusion and participation in society.

The Section for Employment, Social Affairs and Citizenship, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 29 February 2012.

At its 479th plenary session, held on 28 and 29 March 2012 (meeting of 28 March 2012), the European Economic and Social Committee adopted the following opinion by 148 votes with 3 abstentions.

1. Conclusions and recommendations

1.1 The EESC:

1.1.1 Recommends that the United Nations' Convention on the Rights of Persons with Disabilities, (UNCRPD) be implemented to enable persons with disabilities including young persons, both women and men to exercise their fundamental rights to the full.

1.1.2 Requests that the Member States strive to encourage persons with disabilities to participate fully in society and the economy, as part of the National Reform Programmes (NRPs) under the Europe 2020 Strategy, by putting in place effective antidiscrimination measures.

1.1.3 Calls for accessible and inclusive education for persons with disabilities pursuant to Article 24 of the UNCRPD. The Committee believes that young persons with disabilities should be able to access primary, secondary and tertiary education on

an equal basis with others and stresses the importance of non-formal education and the need for this to be recognised.

1.1.4 Urges that information about universities or educational opportunities be adequately disseminated in alternative formats such as Braille, audio, video easy-to-read versions or speech to text/palantype. Libraries should hold Braille and audio books in their collections.

1.1.5 Considers that the arts, sports and leisure play a key role in the development of skills and the inclusion of young persons with disabilities and should thus be fully accessible.

1.1.6 Calls on the Member States and the European institutions to promote best practices and positive actions for the inclusion of persons with disabilities in education and employment. These should include investment in social entrepreneurship and SMEs and financial incentives for employers to recruit young persons with a disability.

1.1.7 Recommends that the Member States, the European Commission and the Parliament combat discrimination against young persons with disabilities.

1.1.8 Calls for accessibility and reasonable accommodation in order to get young persons with disabilities into jobs.

1.1.9 Believes in the key role of the social partners in promoting the employment of young persons with disabilities by including accessibility and reasonable accommodation in their negotiations.

1.1.10 Recommends using Structural Funds to promote the inclusion of young persons with disabilities. The Committee calls for the current regulation to be properly implemented and the future one to comply with the UNCRPD and include accessibility in Article 7 as a horizontal principle, alongside antidiscrimination and inclusion.

1.1.11 Calls upon the Member States to implement the Directive establishing a general framework for equal treatment in employment and occupation ⁽¹⁾ and urges that the directive be interpreted in the light of the UNCRPD.

1.1.12 Recommends that the European Commission, the European Parliament and the Council support organisations representing young persons with disabilities and consult them in the relevant political processes.

1.1.13 Recalls that the economic crisis and austerity measures should not hamper the rights of young persons with disabilities and calls upon the Member States to take positive measures to protect such individuals.

1.1.14 Recommends that the right of young persons with disabilities to live independently be promoted and calls on the Member States and the European Commission to use the structural funds to encourage de-institutionalisation and community-based care.

1.1.15 Welcomes the European Commission's commitment to develop a European Accessibility Act and recommends that this legislation be robust and ensure full accessibility to goods, services and the built environment in the EU.

1.1.16 Calls for an inclusive European standardisation system and welcomes the adoption of Mandate 473 as a positive measure to promote accessibility.

1.1.17 Welcomes the Audiovisual Media Services Directive ⁽²⁾ and calls for the directive to be properly implemented ⁽³⁾.

1.1.18 Calls for the effective application of the Regulation concerning the rights of passengers in bus and coach transport in the European Union ⁽⁴⁾. The Committee calls upon the Member States to enforce the regulation and adopt additional measures to ensure the freedom of movement of young persons with disabilities ⁽⁵⁾.

1.1.19 Welcomes the commitment given by the European Commission in the Digital Agenda to ensure that public sector websites and websites providing basic services to citizens are fully accessible by 2015.

1.1.20 Considers it crucial to mainstream the needs of young persons with disabilities in all EU youth policies and programmes and calls for positive actions to raise awareness about their needs.

2. Introduction

2.1 The EESC:

2.1.1 Would point out that young persons with disabilities are subject to various forms of discrimination on the grounds of gender, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or other opinion, membership of a national minority, property, birth, age, sexual orientation and others.

2.1.2 Calls upon the Member States to move ahead with negotiations on the anti-discrimination directive ⁽⁶⁾, in order to ensure legal protection against any form of discrimination in the EU.

2.1.3 Acknowledges that young persons with disabilities are 2 to 5 times more at risk of violence than their non-disabled peers.

2.1.4 Regrets that young persons with disabilities face prejudice and negative attitudes in society which hinder their participation, self-determination and inclusion.

2.1.5 Affirms that young women with disabilities, persons in need of high-level support and persons with psychosocial disabilities encounter numerous forms of discrimination.

⁽¹⁾ OJ L 303, 2.12.2000, p. 16–22.

⁽²⁾ OJ L 95, 15.4.2010, p. 1–24. OJ L 303, 2.12.2000, p. 16–22.

⁽³⁾ Accessibility of online media visual content should be provided in light of the Directive.

⁽⁴⁾ OJ L 55, 28.2.2011, p. 1–12.

⁽⁵⁾ Such as accessibility of buses in rural areas should be compulsory.

⁽⁶⁾ COM/2008/0426 final.

2.1.6 Calls for the political rights of young persons with disabilities to be recognised and for such individuals to be able to exercise these rights on an equal basis with others and considers that voting procedures, facilities and materials should all be accessible.

2.1.7 Proposes that youth disability policies be mainstreamed into all the relevant budget lines of the Multiannual Financial Framework so as to guarantee adequate resources to promote accessibility and inclusion.

2.1.8 Proposes to gather evidence on the impact of policy instruments relevant to young persons with disabilities and suggests that EU projects, studies and research in this field be funded.

2.1.9 Recalls the recommendations of previous EESC opinions on, inter alia, employment and accessibility, the disability strategy and the consequences of demographic change.

3. Employment and Education

Education

3.1 The EESC:

3.1.1 Acknowledges the importance of inclusive mainstream education and calls for sign language to be taught in primary schools, the introduction of speech-to-text (palantype) and induction-loop technologies and the recruitment of teachers qualified to use Braille and any appropriate support for pupils with disabilities, such as augmentative and alternative communication (AAC).

3.1.2 Welcomes the Youth on the Move and Youth in Action programme adopted by the Commission as part of the Europe 2020 Strategy, and calls on the Member States to ensure that young persons with disabilities benefit fully from these programmes.

3.1.3 Welcomes the use of Erasmus for all EU programmes in the fields of education, training, youth and sport and recommends using Erasmus to boost the personal development and job prospects of young persons with disabilities.

3.1.4 Calls for effective measures to combat early school-leaving, given that persons with disabilities are only half as likely as non-disabled persons to reach tertiary education. The Committee wishes to see universities become more inclusive and implement positive actions such as scholarships for students with disabilities and quota systems.

3.1.5 Wishes to see effective measures to ease the transition from school to employment for young persons with disabilities.

3.1.6 Welcomes the European Parliament's resolution on the Mobility of persons with disabilities ⁽⁷⁾ and its focus on inclusive education.

3.1.7 Recognises the importance of non-formal education ⁽⁸⁾ for young persons with disabilities and calls for the European Quality Framework for traineeship to be developed and to include accessibility criteria.

3.1.8 Acknowledges that young persons with disabilities have the right to benefit from EU exchange programmes and opportunities to study and learn abroad and benefit from EU tools for the validation of skills and recognition of qualifications.

3.1.9 Calls for educational content, ICTs and buildings to be accessible, as a prerequisite for enjoying the right to education. The European Commission and the Member States should encourage schools, universities, and youth counselling services to incorporate accessibility into their actions.

3.1.10 Urges that information about universities or educational opportunities be adequately disseminated in alternative formats such as Braille, audio, video, easy-to-read versions or speech to text/palantype. Libraries should hold Braille and audio books in their collections.

3.1.11 Envisages the use of European funding, including the European Social Fund (ESF), and Lifelong Learning, to support the use of consultants for both pupils with disabilities and teachers.

Employment

3.2 The EESC:

3.2.1 Acknowledges that persons with disabilities are two to three times more likely to be unemployed than persons without disabilities.

3.2.2 Supports the use of Structural Funds to provide adequate financial support to the European Disability Strategy. In particular, more effective use should be made of the ESF in order to boost the employment of young persons with disabilities and of the ERDF in order to attain a high level of accessibility in Europe.

3.2.3 Calls upon the Member States to promote the employment of young persons with disabilities by giving financial support to employers and by investing in SMEs, social entrepreneurship and self-employment.

⁽⁷⁾ 2010/2272(INI).

⁽⁸⁾ Non-formal education is not provided by an education or training institution and typically does not lead to certification.

3.2.4 Suggests that reasonable accommodation, flexible working hours, teleworking and access to ICT be made available, to support employment for young persons with disabilities and would point out that denial of reasonable accommodation is an act of discrimination ⁽⁹⁾.

3.2.5 Recommends that the European Commission provide accessibility for young workers and trainees with disabilities, whilst promoting and developing cross-border professional and vocational opportunities and lowering barriers to the free movement of labour across the EU.

3.2.6 Believes that the social partners should play a key role in promoting and protecting the employment of young persons with disabilities, by including this issue in their collective bargaining.

3.2.7 Calls on the Member States to invest in young workers with disabilities, to help them deal with the effects of the economic crisis, as they face greater difficulties in finding and remaining in employment.

4. Participation and inclusion

4.1 The EESC:

4.1.1 Reaffirms that young persons with disabilities, and especially with intellectual disabilities, have the right to recognition everywhere as people before the law.

4.1.2 Calls for awareness of the situation of persons with disabilities to be raised by gathering consistent data in line with Article 31 of the UNCRPD and emphasises the duty of the media to combat stereotypes.

4.1.3 Recommends that the Member States recognise the legal capacity of young men and women with disabilities on an equal basis with others, in all aspects of life.

4.1.4 Stresses the need to ensure that young persons with disabilities enjoy full freedom of movement and hopes to see specific proposals to remove barriers to the portability of disability benefits.

4.1.5 Requests that the Member States strive to encourage persons with disabilities to participate fully in society and the economy, as part of the National Reform Programmes (NRPs) under the Europe 2020 Strategy, by putting in place effective anti-discrimination measures.

4.1.6 Calls for a European Disability Committee ⁽¹⁰⁾ to contribute to EU policies and legislation by addressing inclusion and accessibility for young persons with disabilities.

4.1.7 Stresses the key role played by sports in promoting the participation of young persons with disabilities and calls for financial and political support for positive initiatives such as the Paralympics.

4.1.8 Suggests peer reviews by the Social Protection Committee, the Employment Committee and the Economic Policy Committee in order to share best practices in equality for young persons with disabilities within the Open Method of Coordination, the Employment Strategy and the economic policies of the NRPs.

4.1.9 Wishes to see financial and political support for organisations representing young persons with disabilities in order to promote participation and combat prejudices through awareness-raising.

4.1.10 Calls for the training of officials, teachers, employers and service providers to comply with accessibility and equality legislation at both EU and national level.

4.1.11 Recommends that the right of young persons with disabilities to live independently be promoted and that Structural Funds be used to support de-institutionalisation and encourage community living.

5. Accessibility

5.1 The EESC:

5.1.1 Calls on the European Parliament and the Council to include accessibility as a horizontal principle in Article 7 of the draft general regulation of the Structural Funds 2014-2020.

5.1.2 Welcomes the steps taken by the European Commission to develop a European Accessibility Act and reiterates the urgent need for strong binding legislation to ensure access by persons with disabilities to goods, services and the built environment. The Committee calls for strong enforcement and monitoring mechanisms to be identified at both European and national level.

5.1.3 Urges effective application of the Regulation on the rights of passengers in bus and coach transport in the European Union ⁽¹¹⁾ and calls upon Member States to enforce the regulation and to adopt robust measures to ensure the freedom of movement of young persons with disabilities.

⁽⁹⁾ OJ C 376, 22.12.2011, p. 81–86.

⁽¹⁰⁾ OJ C 376, 22.12.2011, p. 81–86.

⁽¹¹⁾ OJ L 55, 28.2.2011, p. 1–12.

5.1.4 Envisages a specific plan to make all EU institutions accessible in terms of infrastructure, recruitment procedures, meetings, websites and information.

5.1.5 Welcomes the commitment given by the European Commission in the Digital Agenda to ensure that public sector websites and websites providing basic services to citizens are fully accessible by 2015.

5.1.6 Is pleased to note the European Union Regulatory Framework for Electronic Communications Networks and Services and believes that electronic communications products and services are crucial to ensuring that the new mobile generations are able to remain informed and to communicate.

5.1.7 Acknowledges the importance of access to the Information Society and to Information and Communication

Technologies (ICTs), including access to content, as a fundamental right of persons with disabilities.

5.1.8 Recognises the added value of the Audiovisual Media Services Directive⁽¹²⁾ and calls for the directive to be enforced and implemented, especially the measures concerning persons with disabilities.

5.1.9 Welcomes the European Commission's Proposal for a Regulation on European Standardisation⁽¹³⁾ as well as the Communication on a strategic vision for European standards⁽¹⁴⁾.

5.1.10 Calls for an inclusive European standardisation system and is pleased to note the adoption of Mandate 473 as a positive measure to promote accessibility.

Brussels, 28 March 2012.

The President
of the European Economic and Social Committee
Staffan NILSSON

⁽¹²⁾ OJ L 95, 15.4.2010, p. 1–24.

⁽¹³⁾ COM(2011) 315 final.

⁽¹⁴⁾ COM(2011) 311 final.