

Resolution on Human and political rights for the people with disabilities in Europe: The Right for Independent Living all over Europe now!

People with disabilities, just like everybody else, have the right to choose where, under what circumstances, and with whom they want to live. They are entitled to receive the necessary support to participate on an equal footing with other citizens in society. This is called the *'Independent Living'* principle which encompasses all spheres of life. The idea behind Independent Living is also one of the core elements of the UN Convention on the Rights of Persons with Disabilities (UNCRPD) which was adopted by the United Nations in 2006 and has been ratified by many European countries. However, European countries and the European Union are far from making the proclaimed rights of the Convention a reality. The New EU Disability Strategy 21-30 clearly states the need to develop independent living and reinforcing community-based services, promising that the Commission will support national, regional and local authorities in their efforts for deinstitutionalisation and independent living, including through the 2021-2027 shared management funds, the Renovation Wave, the Renovation Component of the Recovery and Resilience Plans, and the Technical Support Instrument.

The EU has yet to align the 1976 Electoral Law with the UNCRPD, Convention of the Rights of Persons with Disabilities. This is also the case for many countries in the rest of Europe where accessibility barriers remain and millions of people with disabilities are being prevented from participating in elections and from becoming a candidate for office. Likewise, democratic exercises, such as the Conference on the Future of Europe, remain inaccessible to people with disabilities.

All national and European institutions should commit to supporting the fight for the right of disabled people to live where they can exercise political rights and freedom of movement, as well as exercise personal autonomy and agency both in the public and private spheres including the right to their own body as more people with disability are being subjected to violence, sexual harassment or to forced sterilisation^[1] and cannot exercise the right to marry.

According to a recent survey, EU funds have been used to build up group homes in many EU Member States^[2]. The mainstream approach is to organise the lives of people with disabilities around institutions and there is no real motivation to outline plans for deinstitutionalisation. Yet many institutions for people with disabilities are like cages with invisible bars. Thus, it is time to shift to the perspective of people with disabilities themselves as regards their own lives. Progressing from segregation to an inclusive society should be a political goal for all EGP member parties, and the prioritization and consideration of the perspectives as well as the lived experiences of the people with disabilities is long overdue. It is their life after all. As a solution to the way forward, we the European Greens see de-institutionalisation as the key element for the emancipation of people with disabilities^[3].

In concrete terms, the resources applied for building new institutional facilities should rather be reallocated to enable independent and self-determined living of people with disabilities. A shift from a welfarist mentality that deprives people with disabilities of autonomy to a social inclusion through administrative simplification, removal of architectural, sensory, and cultural barriers, and enhancement of services to support people with disabilities and their families, is needed. The right to independent living is a fundamental freedom that is best facilitated by creating and fostering schemes of personal assistance for people with disabilities. Such support - personal assistance for people with disabilities - in the housing, educational, working environments and leisure time plays an important part in facilitating societal inclusion. Moreover, these personal assistance schemes should be under the control of the disabled individuals themselves. This would also manifest the principle "Nothing about us without us" which has been a core principle for the international disability movement for decades.

However, the ideal of *Independent Living* goes much further than housing issues. One key aspect is the possibility to participate in the general labour market. Hence, the working environments of people with disabilities should also be de-institutionalised. In particular, since disabled people are notoriously underemployed, there is an urgent need for supporting schemes to make workplaces and social protection frameworks accessible for all, including unemployment benefits, and sick leave as well as sick pay. Furthermore, employment possibilities for people with disabilities should be in the form of permanent employment where possible, with equal pay to enable an independent life, and with equitable rights and benefits. As disabled people are at heightened risk of poverty, the EU and national governments must implement income policies to guarantee a living income for all and ensure equity of opportunity in education, training, and employment. These social investments generate fair chances for societal inclusion for people with disabilities. In general, legal frameworks must not support institutions over independent living, inclusive learning and working in the general labour market.

Obviously, the demands for Independent Living for people with disabilities need to be accompanied by a holistic view of the accessibility of society in general. The exclusion of people with disabilities is higher in countries with a lower GDP; even in these same countries, marginalisation is more severe in smaller cities, rural mountain areas or islands. Therefore, we the European Greens call for:

- The creation of a budgetary fund dedicated to regulatory and control bodies for medico-social accommodation, housing and support services mandated for home help supported by the EU ecolabel.
- Decision-makers to implement all articles of the UNCRPD as well as the articles in the Charter of Fundamental Rights of the European Union which bring together the most important personal freedoms and rights enjoyed by EU citizens into one legally binding document. In particular, we call for:
 - Political, union rights as well as the right to organise in patient/interest groups without political, law, and/or economic barriers to action – such as removing economic disability support and/or prohibitive action and also the goal of removing existing accessibility hindrances to exercising those rights as far as humanly possible;
 - The right to their own body;
 - The right to freedom of movement and of residence;
 - Access to personal assistance;
 - The alignment of the 1976 Electoral Law of the European Union with the UNCRPD.
- Raising the awareness of disability issues, both among the members of green parties as well as in the general debate. The concerns and issues of people with disabilities will always be taken seriously in the Green family and we will always strive towards improving the accessibility in every aspect of our organizations.
- A strong EU disability card that guarantees a common recognition of national disability statutes and linked access to support and services in order to guarantee the freedom of movement for persons with disabilities within the EU.

[1] Forced sterilisation is currently practised in 13 countries in Europe: as of September 2022, these are Bulgaria, Croatia, Czechia, Cyprus, Denmark, Estonia, Finland, Hungary, Latvia, Lithuania, Malta, Portugal, and Slovakia. Three countries carried the explicit authorisation to forcibly sterilise minors: Czechia, Hungary, and Portugal. In Belgium, France, and Hungary, it is included as a requirement for admission to residential institutions.



[2] ENIL's Shadow report on the implementation of the UN Convention on the Rights of Persons with Disabilities in the European Union: https://enil.eu/wp-content/uploads/2022/03/ShadowReport_EU_Final_140222.pdf

[3] The term 'institutionalisation' refers here to the circumstance of having particular facilities specifically for the accommodation, education and labour of disabled people.