Europe 2020 and the European Semester: Bringing Wellbeing to All?
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EASPD is the European Association of Service Providers for Persons with Disabilities. We are a European not-for-profit organisation that represents over 10,000 social service provider organisations across Europe and disability. The main objective of EASPD is to promote equal opportunities for people with disabilities through effective and high-quality service systems.

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Given the important role played by EASPD in terms of its representation of thousands of social service organisations providing support for millions of persons with disabilities, we believe that it is essential for Policy-makers, both European and National, to consult and consider our views on areas related to employment, inclusive education, long-term care, social services and many other pressing social topics. In order to develop rational, effective, and inclusive policies, enabling people with disabilities to gain access to their rights and be included in their communities, policy-makers must listen to both disabled people's organisations (DPOs), as well as civil society organisations such as our own.

Due to the increasingly important role played by the European Union (EU) on national policies, EASPD wishes to highlight some of its key priorities regarding the future direction of EU decision-making. This is particularly the case if it is to achieve the Europe 2020 strategy, and improve the wellbeing of many Europeans with disabilities through well developed and quality service systems. The European Semester is quickly becoming the most important tool the EU has to give guidance to national governments on their policy-making. It is also an important mechanism through which civil society organisations such as EASPD can provide advice, guidance and expertise to both the European Commission and Member States on key challenges taking place throughout Europe. More specifically, it provides an opportunity for social service providers for persons with disabilities to provide practical information as to how EU and National policy-makers can contribute to improving the wellbeing of Europe’s citizens with disabilities, as well as the staff workers who provide support to them.

As such, this report presents EASPD’s views on:

- European policy-making as a whole, and more specifically, how to achieve the Europe 2020 targets
- The essential challenges faced by service providers for persons with disabilities throughout Europe, with particular emphasis on employment, inclusive education and social affairs

Finally, the report compiles national perspectives from EASPD members in Austria, Bulgaria, Finland, Hungary, Ireland, and Romania. Members have highlighted a number of essential policy changes they deem vital to the improvement in wellbeing of persons with disabilities. We hope this will elucidate practical solutions at both a European, and national level.
PART ONE

‘Wellbeing for all’ as the end objective for policy-makers

If the European Union is to continue along the same path it has taken over the last few years, the Europe 2020 Poverty and Social Exclusion targets will not be achieved, nor will the Employment targets. Indeed, as the Social Protection Performance Monitor (SPPM) and the scoreboard of employment and social indicators show, the social situation in the European Union is not improving. In fact, in many countries the situation is deteriorating. The statistics speak for themselves: since 2010, nearly 7 million European citizens have fallen into poverty or social exclusion; an increase in more than a third of the EU’s Member States.

The reasons behind this phenomenon are both complex, and numerous. However, it is clear that the significant rise in unemployment and in-work poverty, as well as the severe cuts imposed under austerity upon public expenditure, particularly in the field of social services, are all key factors contributing to this increase in European poverty. Most, if not all national governments, as well as the European Commission (EC) itself, have explained that austerity measures were essential in order to reduce the public deficit to sustainable levels, which would consequently have a positive impact on growth. The same argument was used to justify changes in employment policies which focus on creating jobs at all costs, by lowering wages and job security, rather than investing in the development of modern labour markets, which would be able to create quality, inclusive and sustainable jobs for all.

However with growth yet to return in most EU countries, and with the social situation in Europe continuing to worsen, it is essential to remind the European Commission and Public Authorities that growth serves no purpose if it does not contribute to the wellbeing of all its citizens. Furthermore, it must contribute to bringing Europe’s most marginalised citizens back into the heart of society.

The European Commission must formulate its policies and recommendations to Member States with this in mind, if the Europe 2020 targets are to be met.

It is our understanding that high quality services supporting integration into society, contribute significantly to the wellbeing of our users. However, very little research investigating the relationship between quality of life and quality of services exists at present. Only by better understanding how the quality of services affects the quality of life of Europeans can we provide policies that guarantee the wellbeing of the millions of Europeans currently excluded from society.

Our Recommendations:

1. The European Commission and National Governments must prioritise the wellbeing of Europe’s citizens, rather than adopting a ‘jobs and growth at all costs’ approach, which deteriorates the quality of life of Europe’s citizens.

2. The European Commission and National Governments must invest in additional research analysing the impact of public policies on persons with disabilities, and in particular the relationship between quality of life and quality of services.

3. The European Commission must introduce more specific indicators to its Europe 2020 targets, taking further into account the impact of social services on individual wellbeing, the implementation of the UNCRPD principles and goals, the importance of creating both quality jobs, and inclusive education opportunities, as well as the transition to Community-based services.
Europe 2020 and the European Semester: Bringing Well-being to All

**Our Recommendations:**

1. The European Commission should ensure that the spirit of the Europe 2020 Strategy is restored as the core principle of European and National policy-making. In other words, both the economic and social dimensions of policies must be in alignment with one another.

2. The European Commission should also ensure that at least one country-specific recommendation focuses on purely social matters. For instance, ensuring that governments are doing enough towards the promotion of deinstitutionalisation.

3. The European Commission should propose a strategy aiming at promoting the transition to community-based care, streamlining national policies in this area, providing best practices, as well as promoting the use of EU funds in de-institutionalisation.

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**Integrating Social and Economic dimensions in policy-making**

The EC’s current position, which views growth and high employment rates as an ends, rather than means to achieving social wellbeing, explains why economic considerations have become the main focus of European policy formulation, with other dimensions (social, environmental) coming second. It is EASPD’s understanding that the Europe 2020 strategy and targets cannot be met if both dimensions do not go hand in hand. Indeed, the added value of the strategy was that it brought together both the economic, and social dimensions of policy-making together. When combined, the two dimensions are mutually reinforcing and are ultimately an essential formula for achieving smart, sustainable, and inclusive growth.

The Social Protection Committee’s 2014 Report follows this exact strategy when it emphasizes the “clear need for an integrated approach, and better coordinated economic, fiscal, employment and social policies in order to effectively progress towards the mutually reinforcing Europe 2020 objectives”. EASPD understands that the European Commission intends to pursue this strategy with an ultimate the objective of ensuring that “employment and social policy are at the centre of the European Semester for economic policy coordination,” an essential responsibility under Commissioner Thyssen’s portfolio.

European Service providers for Persons with Disabilities also note in their report, similarly to Mr Zeitlin and Vanhercke, that “there has been a progressive ‘socialisation’ of the European Semester, in terms of increasing emphasis on social objectives and targets in the EU’s priorities and country-specific recommendations. However, the millions of Europeans currently in poverty or excluded from society should not have to wait for the progressive socialisation of European policy making. The integration of the social dimension into economic decision-making should be an absolute priority for the new European Commission in all its policy-making if it is to effectively support those most in need in Europe. As an example, the thousands of Europeans currently on waiting lists for ‘enabling’ social services should not have to wait for this socialisation to take place. Every European has a right to access quality services supporting their full integration into society.
Access to affordable, high quality social and health services is a vital means for millions of Europeans to achieve full inclusion in society. Waiting lists for these services have increased in most, if not all, European countries. This trend can be explained by the decreasing budgets allocated to service providers and their users, the general withdrawing of public authorities from the sector, as well as the rising demand for such services due to an ageing population and rising inequalities.

EASPD considers this rising gap between supply and demand for enabling services as one of the most important challenges for policy-makers over the next few years. Yet, this challenge, if correctly tackled, also represents an important opportunity. Indeed, one of the key solutions to the problem is to ensure the provision of a sufficient and well-trained workforce to respond to this rising demand for services. As such, there is huge job-creation potential in the sector, which has yet to be fully tapped into by policy-makers.

Currently, the single biggest factor blocking job creation within the sector is its lack of appeal, due to its association with poor working conditions. Difficult working patterns, poor wages, lack of professional development opportunities and career paths are all issues that characterize the sector. Pro-active policy-making is required in order to unlock the sector’s job-creation potential. This would not only improve the lives of many people facing exclusion from society, but also help reduce unemployment in Europe. Public Investment (political, legal, financial) in the sector would increase social cohesion in Europe, creating employment opportunities, as well as contributing to achieving inclusive and sustainable growth.

Support for the development of social dialogue between employers and employees will also be essential, in order to adequately tackle the sector’s lack of appeal through negotiations and collective agreements.

Furthermore, Social Investment often leads to positive economic outcomes. Changes to the situation of users usually have positive and lasting economic outcomes, such as being in employment, training and education. This is supported by EPSCO’s 2014 report, which calls for stronger responsiveness to the long-term policy priorities of the EU by ensuring adequate social investment. According to the report, “Member States’ experience and good practices show that access to enabling services (...) can ensure return to the labour market and social inclusion”.

The European Commission will soon launch a ‘Jobs, Growth and Investment’ package,
Our Recommendations:

1. The European Commission and National Governments should tackle the rising discrepancy between supply and demand of enabling services by unlocking the job-creation potential in the Social and Health Services sector.

2. The European Commission should devise a strategy to unlock the sector’s job-creation potential by promoting proactive public policy in this area, streamlining national approaches, providing best-practices, as well as tools and guidance as to how to use EU funds and mechanisms to support this process.

3. The European Commission should further advocate the importance of social investment through a Social Investment Package 2.0, using investment into the social services sector and unlocking its job-creation potential as a test phase for the approach.

4. The European Commission and National Governments should support the development of social dialogue in the social services sector as an essential means to solve the challenges the sector is encountering with regards to job-creation, retention of staff, and ensuring decent working conditions.

which should unlock at least 315 billion EUR worth of public and private investment in the real economy over the next three years (2015-2017). It is essential this package includes a social dimension, helping to unlock the millions of jobs that could be created in Europe in the Social and Health Services sector over the next few years. Due to the positive economic effects already elaborated on, investing in this sector would equally contribute to bringing sustainable growth to our economies. EASPD welcomes the current plans to use the package to help build schools and social infrastructure. However, it is particularly important that these plans focus on creating inclusive schools and infrastructure, and not infrastructure for the sake of infrastructure.
The European Union already has sufficient legal and political tools at its disposal, to help make sure that the Social dimension to policy-making is mainstreamed through its directorate generals. Article 9 of the Treaty on the Functioning of the European Union states that “in defining and implementing its policies and activities, the Union shall take into account requirements linked to the promotion of a high level of employment, the guarantee of adequate social protection, the fight against social exclusion, and a high level of education, training and protection of human health”. This article provides the European Commission with the legal basis to mainstream the social dimension into all EU policies and activities, including and in particular, the European Semester. This article –the social clause- could be the legal basis for an integration of all of the European Commission’s instruments and processes in the social field (EPAP, Social Impact Assessments, social OMC, the social scoreboard, Social Investment Package, the European Semester and the EU structural funds) towards developing a common European understanding of the article’s criteria. This would consequently contribute to the streamlining of all EU policies towards achieving these objectives, which would also be strongly linked to several of the Europe 2020 targets. The European Commission’s current instruments and processes are currently weakened by the fact that they are not used in coordination to achieve the same objectives. The use of these tools to bolster the social clause would ensure that the EU’s social objectives are much clearer, which would strongly facilitate the integration of the social dimension into all European policy-making and, thus, help achieve the Europe 2020 targets.

Our Recommendations:

1. The European Commission should publish a Communication on how it intends to use the horizontal social clause (art.9 TFEU) to mainstream social objectives into all European policies.

2. The European Commission should also use the social clause as a tool with which to integrate its social tools and instruments (Social OMC, EPAP, Europe 2020, European Semester, Juncker Package, Social Impact Assessments, and EU structural funds) towards developing a common definition of the standards it includes; high levels of employment, adequate social protection, the fight against social exclusion, a high level of education and training and the protection of human health.
As a tool aiming to support the achievement of the Europe 2020 targets, the European Semester offers an important opportunity to increase the participation of civil society organisations and social partners into both European and national policy-making procedures. However, very few national members of EASPD have been informed about this valuable process by their own public authorities, and are thus yet to be adequately involved. It is clear that the structures are often not in place at national level, which as a consequence, is limiting participation in the development of the National Reform Programmes. This problem has also been raised by the 'Semester Alliance', a Brussels-based coalition bringing together major European civil society organisations and trade unions, representing thousands of member organisations on the ground at European, national and local levels, including EASPD. In its 2014 report, the Semester Alliance remarked that NRPs seem to be “typically compiled by civil servants for submission to the Commission without meaningful consultation” with their national stakeholders.

Similar arguments can be targeted at the European level, where there is very little transparency in the decision-making of the European Semester process. Whilst there is a more clear commitment to consultation of stakeholders at European level, there does not appear to be much willingness from the European Commission to demonstrate how the outcome of this consultation impacts on the Commission’s decision-making. Indeed, what is important is not consultation for the sake of ticking a check box, but meaningful consultation that has an impact over the outcome of the messages provided by the European Commission in its Semester documents (AGs, CSRs, etc.). The Semester Alliance lists in its report several important questions in this regard, one of them being of particular relevance here: what are the real avenues for participation in the European Semester process? Because in most countries and at EU level, the doors appear to be mostly shut or only lip service paid instead of an effective process. EASPD’s view is that it would appear close to impossible for the Europe 2020 targets to be achieved if the European Semester results in discussion solely between bureaucrats, without taking into account the arguments of those on the ground, closer to European citizens, and often on the receiving end of national and European policies. Putting the partnership principle into practise in an effective way, would lead to the development of policies anchored in the day-to-day concerns of European citizens, and less focused on technocratic policies.

**Our Recommendation:**

- The European Commission should further encourage the partnership principle by publishing best practises as to how good use of the principles can improve legislation and improve citizen ownership and understanding of policies.

**The Partnership Principle as essential to promoting citizen ownership**

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How can the European Semester support inclusive education for persons with disabilities?

The European Semester plays an essential role in analyzing Member State policies and providing them with adequate recommendations as to the main challenges faced by governments. Regarding for persons with disabilities, the European Commission and Member States must ensure that:

1. Innovation in inclusive education is promoted through adequate financing to enable precursor projects in this area. This is particularly the case for investment in teacher training and education, in order to ensure that staff possess the skills and attitudes required to promote an inclusive class environment.

2. Sufficient support must be made available to persons with disabilities throughout their lifetime, and in particular in the transition period from education to employment, and continuing on to provide support in terms of professional development and the trajectory of their career path.

3. The availability and affordability of high quality education is guaranteed for all on an equal basis. They must recognize the essential role played by social service providers in the field of education and put in place an adequate legal, financial, and political framework enabling people with disabilities and vulnerable groups to gain access to high quality education through excellent support services.

Article 24 of the UN CRPD clearly states that all persons with disabilities have the same right to high quality and appropriate education as everybody else, as well as the right to choose and receive education in an inclusive environment. The EU has acceded to the UN CRPD, and as such, is legally bound to implement its objectives within its own competences. The EU includes Education and Training within its overall Disability Strategy 2010-2020. This includes the goal to promote inclusive education and lifelong learning for students with disabilities and to guarantee adequate and effective support within education systems throughout Europe. EASPD naturally fully supports this objective.

However, the reality on the ground is that there still remains a long way to go if we are to achieve fully inclusive education systems throughout Europe. Improvements made over the last decade have been negatively affected.
by cuts to public expenditure in the field, having a serious impact on already vulnerable groups such as students with disabilities. This is corroborated in a study conducted by the European Consortium of Foundations on Human Rights and Disability on “Assessing the impact of European Governments’ Austerity Plans on the Rights of Persons with Disabilities.” The study, dating from 2012, reveals there “is growing evidence that, as a consequence of the economic crisis, governments have reduced their funding for mainstreaming and have abandoned or altered their previous plans to promote integrated education for children with disabilities”. It also states that this has led to situations where children with disabilities are worse off than before the crisis. Based on its on-the-ground expertise, EASPD fully supports the statements made in this study.

In addition to the cuts to social services introduced in a significant number of Member States, certain countries have also implemented specific budgetary cuts to general and inclusive education, (Slovenia, Hungary and Portugal, for example). This has placed significant strain on inclusion, and development of good practices. Furthermore, there is a continued need to increase investment in teacher training and education to ensure that professionals in the education sector—in particular the teachers—have the skills and attitudes to promote an inclusive classroom.

Additionally, the study confirms that resources available for early detection, personalised student support and adequate teacher training have been limited— or even reduced— thus resulting in higher dropout rates amongst pupils with disabilities and a reduction in the proportion of students continuing on to third-level education.

Within this given trend, it is not difficult to wonder how the EU Disability Strategy and Europe 2020 education goals could be achieved. However, this also has a negative impact on the achievement of other Europe 2020 objectives, notably in the areas of employment, poverty and social exclusion. As inclu-ed’s Statement on promoting inclusive education systems in Europe reminds, “high levels of employment, productivity and social cohesion cannot be achieved without establishing inclusive education systems”. Indeed, quality education is the best tool we have at our disposal to ensure individual employability, and avoid poverty and social exclusion later in life.

However a refined education system is not always enough to support transition into employment and the labour market. In numerous European countries, education-funding initiatives for persons with disabilities often end their support once the pupil leaves school. This leaves many young people with disabilities with little support, and little information regarding available job opportunities that match their abilities, skills and competences. Support that is of course indispensable for those seeking access to the labour market. Without this enabling support, persons with disabilities frequently end up either unemployed or within specialised work programmes for persons with disabilities; and consequently, are not fully included in society.

### Our role in facilitating access to education

Throughout Europe, Social Service Providers play an essential enabling role for persons with disabilities, advocating their involvement in specialised and inclusive education systems. A significant proportion of EASPD’s membership represents education support services for persons with disabilities, including schools providing special education needs (SEN), inclusive education settings, and the training of professionals and teachers in the education sector.

These service providers play an essential role in supporting the integration of persons with disabilities, by gaining their access to quality, inclusive education. They therefore have an important role to play in the development of policies relating to the education of persons with disabilities. It is clear that if Europe is to increase and improve access to education for persons with disabilities, as well as their individual employability, the important role of service providers must be recognised, and they must be involved in the creation of well-informed policies and legal frameworks.

Similarly, our messages and expertise concerning the main challenges existing for persons with disabilities in terms of their education throughout European Member States must be taken into account.
How can the European Semester improve employment and work opportunities for persons with disabilities?

The European Semester plays an essential role in analyzing Member State policies and providing them with adequate recommendations as to the main challenges faced by governments. Regarding persons with disabilities, the European Commission and Member States must ensure that:

1. Employment activation measures for persons with disabilities must be mainstreamed through a twin track approach, in all EU/National Employment policies.

2. All EU/National Employment policies must focus on creating jobs, bringing people out of poverty, and ensuring that people with disabilities receive a decent wage, and adequate working conditions.

3. All Member States must ensure the availability and affordability of quality services for all, on an equal basis. This can only be done through the adoption of a Social Investment approach to policy-making, contributing to ensuring that all Europeans citizens have the possibility to access decent jobs.

Exclusion from the labour market, and lack of recognition of the sector in supporting employment of persons with disabilities

There are around 80 million people with disabilities in Europe. It is clear that their labour force participation rate is significantly lower than when compared to the population as a whole. Indeed, according to EASPD findings, only 20% of persons with disabilities in Europe are employed, whilst this labour force participation rate rises to around 65% when considering the population as a whole. Furthermore, among those who are working, many continue to face problems, as they are not paid a decent wage, work below their capabilities and/or with temporary contracts and have poor career prospects. This situation hampers the personal socio-economic development of persons with disabilities in many different ways, whilst also going against the achievement of an inclusive society. Furthermore, the economic crisis which has affected Europe since 2008 has led to the implementation of austerity measures, which have also had a negative impact on the lives of persons with disabilities. This is in particular the case due to the cuts made to the financing of social services – including employment support services; leading to longer waiting lists and often poorer quality of services provided.

Due to the increase in unemployment in many European countries, it is clear and noticeable that Member State governments are targeting this problem with various measures focusing on improving the employment rate of the population as a whole. Yet, EASPD has discovered that these measures are often ill-suited to the employment of persons with disabilities and offer no or little support to employment programmes; measures which are essential to the employment of persons with disabilities and vulnerable groups. This has led to persons with disabilities being perhaps even more excluded from the labour market than before the crisis due to lack of support services available,
services of poorer quality due to financial constraints and measures often ill suited to the needs of persons with disabilities.

If the Europe 2020 target of having 75% of the 20-64 year-olds in employment is to be achieved, it goes without saying that tackling the chronic unemployment of persons with disabilities within that age-period is essential. The European Commission must encourage national governments to ensure that disability is taken into account within its mainstream employment activation policies. It must also do so within its own employment policies, including the Youth Guarantee, as well as its upcoming objectives to tackle long-term unemployment in Europe. However, employment policies put in place should seek to view persons with disabilities as people with abilities and therefore should aim at tackling many problems currently in place in the employment of persons with disabilities by creating quality jobs, with decent wages and working conditions.

The employment of persons with disabilities should not only be understood as a statistical objective to be achieved, it should primarily be understood as the human right of “persons with disabilities to work, on an equal basis, with others” as is stated in Article 27 of the UN Convention on the Rights of Persons with Disabilities, a convention concluded by the European Union. Therefore, any EU or Member state strategy tackling unemployment should include persons with disabilities through a twin track approach to mainstreaming: on the one hand, by mainstreaming disability into all EU policies; on the other hands, by ensuring that disability-specific policies and actions are also put in place to support the employment of persons with disabilities in society. These policies should fully take into account the important role service providers play in supporting the employment of persons with disabilities, as stated in Article 27.

- Our role in facilitating access to work and employment for persons with disabilities

Throughout Europe, Social Service Providers play an essential enabling role for persons with disabilities to gain access to the labour market and work. Around a third of the 10,000-odd service providers EASPD represents, deliver work and employment-related support services for persons with disabilities.

These service providers play an essential role for supporting the integration of persons with disabilities into the labour market and work; and thus have an important role to play in policies related to the employment of persons with disabilities. It is clear that if Europe is to increase the employment rate for persons with disabilities, the important role of service providers must be recognised and supported by adequate and well-informed policies and legal frameworks.

Similarly, our messages and expertise on the current main challenges facing persons with disabilities regarding employment and work throughout all European Member States, albeit to varying degrees, must be taken into account.
How can the European Semester improve employment and work opportunities for persons with disabilities?

The European Semester plays an essential role in analyzing Member State policies and providing them with adequate recommendations as to the main challenges faced by governments. Regarding for persons with disabilities, the European Commission and Member States:

1. Must help to create the right financial, legal, and political framework allowing the sector to provide quality support services to those most excluded from society. The correct transposition of the 2014 EU public procurement directive, focusing on the provision of quality services, is an essential first step in this process.

2. Should promote the social investment approach with regards to policies related to social services. The European Commission should analyze Member State policies towards social services and issue country-specific recommendations if these social services are not receiving adequate support from their national governments, allowing them to provide quality services to all.

3. Should do much more to promote the transition to community-based care. The impact of the economic crisis on public policy should have no impact on the obligations Governments have towards ensuring the human rights of their citizens, in particular persons with disabilities and other vulnerable groups.

4. Should unlock the job-creation potential of the social and health services sector by developing strategies to effectively manage this opportunity, before it becomes a challenge. Should also support the development of social dialogue in the sector in order for social partners to adequately respond to the problems of recruitment and retention the sector is encountering.
- Decrease waiting lists, promote the transition to community-based living, and job creation in the social services sector

Public Investment into the Social Services sector has diminished drastically since the beginning of the economic crisis in most, if not all, European Member States. This has also been a policy promoted by the European Commission through its economic policies, as well as through the European Semester.

This has put significant pressure on service providers who are still having to provide the same services, but with less funding available. This has led to a deterioration of the quality of services in many countries, as well as increasing waiting lists for quality and affordable services. The deterioration of the quality of services has a significant impact on the wellbeing and integration of millions of persons with disabilities throughout Europe, who see services supporting their integration into the labour market, education and the community decreasing in quality and availability. If the European Union and Member States are to achieve the objectives and goals of the Europe 2020 strategy, and the obligations of the UN CRPD they signed up to, it is an absolute must that they provide their citizens with quality support services, which allow them to be fully included actors in society. This can only be done through the implementation of Social Investment into the sector, as well as by developing a better legal and financial framework allowing social service providers. By bringing many millions of Europeans back into employment, education and training, the governments’ investment will not only help create a more cohesive and inclusive society but also have a significantly more sustainable public expenditure budget. Rather than considering the inclusion of persons with disabilities as a cost, public authorities should view it as a social investment. As of yet, and throughout Europe, public authorities are, mistakenly, not taking this approach. Neither is the European Commission, even though it is clear that the EU cannot achieve its 2020 objectives without integrating those most excluded from society back into employment, education, and the community.

The cuts to public expenditure in the social field have also halted the process of deinstitutionalisation in Europe. There are even indeed many cases of re-institutionalisation (Ireland, Norway, Romania, etc). This simply must stop. It is a significant human right abuse against those living in such circumstances. The European Commission should view deinstitutionalisation as an essential social priority and analyse in detail what is preventing this process from happening, in all European countries, including those currently with a higher level of economic development. In addition to publishing an action plan on how the EU intends to fight deinstitutionalisation, the European Commission must look into more detail at national policies towards institutions and issue country-specific recommendations to Member States considered as not doing enough to promote community-based services. In countries less economically developed (such as in Macedonia, Serbia and Hungary for example), new policies are in place which forbid institutions, but innovative community-based services are yet to be in place. This leads to situations where persons with disabilities and other vulnerable groups are left without any services. It is essential that public authorities in these countries should put more efforts in the transition to community-based services. In more economically developed countries, there are also difficulties in terms of de-institutionalisation. Indeed, innovative policies may be in place, but their implementation on the ground is not always achieved. This can be due to inadequate financial, political and legal support; there are also cases of re-institutionalisation in several more economically developed countries, including in Norway. The EU and public authorities must tackle this serious problem and fully commit to community-based services in both policy development and proper implementation. For this to take place, it is essential that the European Commission considers deinstitutionalisation as a key topic in the European Semester, as well as in the fight against poverty and social exclusion.

Last but not least, as a result of demographic and societal trends, it is clear that the demand for social services is growing in all European Member States and will continue to do so over the next few years and decades. This implies that the supply will need to be met by demand, consequently meaning that the health and social services sector will need to employ more and high(er) qualified staff. Over 10% of EU workforce already works in the social and health services sector and the European Commission already acknowledges that this trend will increase with the evolving demographics. In its 2014 report, the Social Protection Committee also considers it essential to respond to the widening gap between the demand and supply of long-term care services. In addition to reducing unemployment, securing the supply for the demand for social services is also key to counteracting the increasing social exclusion and poverty in Europe and finding ways to improve the lives of many Europeans. Moreover, social investment leads to positive economic outcomes as
changes to the situation of service users has positive and lasting economic outcomes; such as being in employment, training or education. However, many barriers continue to stop the sector from achieving its potential in terms of job creation. These include problems such as the lack of public finance that could be used to improve the quality of services provided as well as to offer better working conditions and training opportunities to the staff employed, the imbalanced regional distribution of workforce, the low attractiveness of the sector, difficult working patterns, a lack of opportunities for training, as well as the movement of social workers across Europe that often leads to illegal posting, social dumping and exploitation. It is clear that the European Commission can and should support member states overcome these barriers and develop actions based on policy and financial instruments it has at its disposal. An EU employment strategy should be developed that seeks to seize the potential of the sector, streamline Member States’ efforts, dedicate European funds to back this up and ensure the appropriate legal, political and financial environment so that social services can fulfil their mission.

Through the European Semester, the European Commission should also look into the lack of supply for social and health services, as well as to the efforts made by Member States to unlock the job creation potential. If the policies in place were deemed unsuitable, and the demand for social and health services by far outweighing the supply, the European Commission should issue a country-specific recommendation calling on Member States to tackle this important problem; which would also contribute to reducing unemployment in the said country and making it more inclusive.
Throughout Europe, Social Service Providers play an essential role in the transition to community-based services. Although EASPD’s membership represents a wide-range of care services, ranging from more institutionalised care in transition phase to community-based support, our objective is clear: quality community-based services are the best form of support provision. Based on this objective, EASPD encourages Member States to fully commit to the process of de-institutionalisation and provides in-depth advice to Policy-makers in this area.

Furthermore, social service providers employ millions of staff who provide services to Europe’s most excluded groups. Due to the demographic changes and austerity measures, social service providers are finding it increasingly difficult to provide sufficient quality services for the rising demand. This provides Public Authorities with the opportunity of unlocking the job creation in the sector.

Similarly, our messages and expertise on the current main challenges facing persons with disabilities regarding the transition to community-based services, as well as the many problems facing the social services sector as a whole, and in particular the recruitment and retention of staff, should be fully acknowledged and taken into account by policy makers.
PART THREE

Our Country-Specific Messages on the European Semester

MESSAGE ON EMPLOYMENT

Austria

KEY ISSUE:

Particular groups within society have a lower participation rate in the Austrian Labour market. There is a need to improve the labour market prospects of older workers, women, migrants (explicitly mentioned in staff working document and CSRs) but also persons with disabilities (not explicitly mentioned). There are pronounced inequalities in employment opportunities for persons with disabilities. They should therefore be specifically mentioned in the Austrian government’s plan to boost employment, promote inclusion and remove the barriers for the implementation of the UN Convention on the Rights of Persons with Disabilities (UN CRPD).

PROPOSAL

The Austrian government should put in place a strategy towards the employment of persons with disabilities, establishing a specific action plan for doing so. Several measures proposed to benefit one target group, can also benefit persons with disabilities. The disability perspective should be considered and directly mentioned in all measures related to employment. The definition of “capacity to work” (Arbeitsunfähigkeit) needs to be revised in Austrian legislation as it currently excludes certain groups (e.g. most persons with intellectual disability). Unemployment statistics must be more detailed, indicating vulnerable groups and persons currently excluded (considered “unable to work”).
LEGAL BASIS IN UN CRPD:

Article 27. Right to work and employment (1) State Parties shall safeguard and promote the realization of the right to work (…) by taking appropriate steps, including through legislation, to, inter alia: (d) enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training; Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment; (h) Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures; (k) Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.

EXPLANATION

Due to their low participation in the labour market, persons with disabilities represent a largely untapped potential. The Unemployment statistics need to be more detailed and specify the figures for vulnerable groups, including persons with disabilities, as well as persons after long-term illness. The official statistics also need to be more complete by considering the persons that are “unable to work” given the requirements included in the Austrian law, e.g. large proportion of persons with intellectual disabilities.

There is also a need to make a connection between the increasing quantity of part-time jobs and the risk for poverty and analyse how this situation impacts persons with disabilities.

Other criteria to be taken into account when promoting employment among vulnerable groups is the possibility to have a migrant background and also a disability.

LINK TO SWD AND CSR 2014 FOR AUSTRIA:

SWD P.14: “The participation rate of particular groups in the labour force is significantly lower than the aggregate rate.”

SWD P.14: “Austria received CSRs on making better use of the labour market potential of older workers, women and migrants by improving the employability of older workers, improving childcare and long-term care services, recognising migrants’ qualifications and reducing the tax wedge for low-income earners”.

SWD P.15: “Measures to promote accessible and age-friendly working environments would both support the goal of longer working lives and further promote the participation of persons with disabilities in employment.”

CSR 3: “Reinforce measures to improve labour market prospects of people with a migrant background, women and older workers. This includes further improving child- and long-term care services and the recognition of migrants’ qualifications.”
KEY ISSUE:

Austria needs to improve the learning outcomes of disadvantaged groups and reduce the negative effects of early streaming into different school types. Access to and successful completion of all types of education must be improved (including in higher education).

PROPOSAL

Austria must increase its efforts towards a more inclusive school system. Active measures have to be taken to facilitate the participation of students with all kinds of disabilities establishing person centered approaches for all students and providing special in class support for students with disabilities. These measures have to include students with severe impairments and students with intellectual disability.

A disability perspective should be considered and directly mentioned in all measures related to improving learning outcomes and avoiding negative effects of early streaming for disadvantaged groups. Students with impairments must be enabled to achieve recognized certificates increasing their chances to enter the labour market. Transition support must be in place at important phases (e.g. early childhood education – primary school, school – employment...).

Better access to the new middle school program. The increase of all-day school places should also include positive measures to increase the number of students with intellectual disabilities.

(Better) access to higher education Active measures must be taken to increase the participation of disadvantaged groups that so far have little or no access to tertiary education: e.g. students from low income families, with migrant background are currently underrepresented.

LINK TO SWD AND CSR 2014 FOR AUSTRIA:

**SWD P.17:** “Improve the educational achievement. These involve improving early-childhood education and reducing the negative effects, particularly on the learning outcomes of disadvantaged groups, of early streaming of pupils into different school types at the age of 10”.

**NRP P. 10:** “Along with gainful employment, the education system is also generally considered a driver of integration”.

**SWD P.17:** “additional compulsory year of kindergarten”

**SWD P.17:** “introduction of a new transition phase between early-childhood education and primary school”

**SWD P.17:** “Reducing the rate of early school leavers”

**SWD P.17:** “new middle school program and increase number of all-day school places”.

MESSAGE ON EDUCATION
LEGAL BASIS IN UN CRPD:

Article 24. Right to education. (1) States Parties [...] shall ensure an inclusive education system at all levels and lifelong learning [...]. (2) ensure that: Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability; Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live; [...] (3) [...]To this end, States Parties shall take appropriate measures to employ teachers, including teachers with disabilities, who are qualified in sign language and/or Braille, and to train professionals and staff who work at all levels of education. Such training shall incorporate disability awareness and the use of appropriate augmentative and alternative modes, means and formats of communication, educational techniques and materials to support persons with disabilities. (5) States Parties shall ensure that persons with disabilities are able to access general tertiary education, vocational training, adult education and lifelong learning without discrimination and on an equal basis with others. To this end, States Parties shall ensure that reasonable accommodation is provided to persons with disabilities.

EXPLANATION

There should be an inclusive focus in education for children with a migrant background as well as for children with disabilities (including intellectual disabilities). The Austrian government should also better monitor the results and impact of new measures for the educational system. Analysis shows that in Austria around 2 million persons cannot read properly. In order to facilitate the access to tertiary education and vocational training for persons with disabilities, as well as reduce the rate of early school leavers, there is a need to enable the acquisition of official certificates.

Persons with intellectual disabilities are most afflicted by segregated school systems and their negative consequences (e.g. stigmatization & social exclusion, lower learning outcomes, finishing school without recognised certificate, continuing a career in special institutions...).

Streaming for persons with disability unfortunately mostly takes place already in primary school (age of 6), for children with severe impairments partly even in kindergarten: 50% of students with intellectual disability still attend special schools in Austria. These special schools are also attended by a high percentage of migrants. Special schools don't provide recognised certificates, and transition to vocational training and/ or employment becomes very difficult.

Additional compulsory year of Kindergarten. Parents of children with disability can be exempt from this regulation (parents apply for exemption if kindergarten does not accept their child or does not welcome it). The focus on inclusive education should start at the very beginning (early childhood education). The number of children with disability in kindergarten must be monitored and backed up with data. Transition support between early-childhood education and primary school is also essential for persons with disabilities.
MESSAGE ON HEALTHCARE & LONG TERM CARE

KEY ISSUE:
Austrian public authorities need to monitor the implementation of recent reforms restricting access to early retirement and measures to further improve the cost effectiveness and sustainability of health care and long-term care services.

PROPOSAL
The discussion on health care and long-term care services has focused mainly on services for the elderly, but is also very relevant for persons with disabilities. Especially when it comes to promoting independent living as enshrined in the UN CRPD. Important connections between independent living and other target areas such as combatting social exclusion, the right to employment and the right to education have to be considered in national policies.

LINK TO SWD AND CSR 2014 FOR AUSTRIA:

**CSR 2:** "Monitor the implementation of recent reforms restricting access to early retirement. Further improve the cost effectiveness and sustainability of health care and long-term care services."

LEGAL BASIS IN UN CRPD:

Article 19. Living independently and being included in the community. States Parties to this Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that: Persons with disabilities have the opportunity to choose their place of residence […] Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community; Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.

EXPLANATION
There are still many persons with disability living in institutions, especially persons with intellectual disabilities. The UN Convention clearly states that State Parties should ensure support services and, if necessary, personal assistance to enable independent living and community inclusion for persons with disabilities. The discussion on the reforms in the Austrian Health care and long term care systems should therefore include the perspective of persons with disabilities and not solely on elderly people.
MESSAGE ON POVERTY & SOCIAL EXCLUSION

KEY ISSUE:

The Poverty and Social Exclusion target within the Europe 2020 strategy is too narrowly defined and operationalised. The target focuses on poverty. “Social Exclusion” is much broader, and must be considered in all areas of life. There is a need to create a broader scope of indicators.

PROPOSAL

The 2020 Poverty and Social Exclusion target should include a disability perspective in all indicators and should also be linked to the implementation of the UN CRPD. Special emphasis should be given to the development of indicators for “social exclusion” like figures on segregated education, barriers to political participation, living in institutions, barriers to access in the labour market, working conditions for persons with disabilities, among others. It will also be important to make a connection between the increasing quantity of part-time jobs and the risk of poverty. People with disabilities should be considered as a target group when developing the indicators in all related issues to “social exclusion”. We therefore recommend setting up specialised research to monitor personal experiences of the affected target groups suffering from “social exclusion” such as persons with disabilities (issues like stigmatisation, barriers to inclusion and participation in all areas of life). The target group should be involved in all stages of the research to comply with the concept of “inclusive research”.

LINK TO SWD AND CSR 2014 FOR AUSTRIA:

No particular recommendation has been formulated on this target by the European Commission neither mentioned by the Austrian government.

LEGAL BASIS IN UN CRPD:

Article 28 - Adequate standard of living and social protection. States Parties recognize the right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, and shall take appropriate steps to safeguard and promote the realization of this right without discrimination on the basis of disability [...] (2) States Parties recognize the right of persons with disabilities to social protection and to the enjoyment of that right without discrimination on the basis of disability, and shall take appropriate steps to safeguard and promote the realization of this right, including measures: [...] To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes; To ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability-related expenses, including adequate training, counselling, financial assistance and respite care; To ensure access by persons with disabilities to public housing programmes; To ensure equal access by persons with disabilities to retirement benefits and programmes.
Article 31. Statistics and data collection. (1) States Parties undertake to collect appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the present Convention. [...].

Also many other Articles of the convention: e.g. 9. Accessibility, 12. Equal recognition before the law, 19, 24, 27 (see above), 29. Participation in political and public life.

EXPLANATION
Persons with disability still experience many barriers to social inclusion in their communities. This has negative consequences for their quality of life and violates the rights guaranteed by the UN- CRPD. A high risk of poverty is only one consequence of these disadvantaged living conditions, but they also suffer from many other aspects of exclusion: e.g. living in institutions, segregated schools, little access to the labour market, barriers to political participation, etc.

The UN Convention states the importance of supporting persons with disabilities to achieve a certain standard of living and to be included in the society. Different articles from the Convention could be mentioned as life in society involves a variety of rights, from having access to adequate housing, participation in political and public life (article 29), participation in cultural life, recreation, leisure and sport (article 30), social protection (article 28), among others.

MESSAGE ON PUBLIC ADMINISTRATION

KEY ISSUE:
The European Commission has recommended to the Austrian government to carry on a modernization of the public administration, especially to turn away from the currently fragmented and inefficient division of responsibilities.

PROPOSAL
Establish clear responsibilities at national, regional and local levels for authorities dealing with rights, needs and services for persons with disabilities. There must be comparable standards in all federal states regarding rights, access to services, financing, choice etc. Currently existing inequalities and lack of transparency have to be eliminated. The modernisation of public administration is not only necessary regarding business, market fragmentation, and innovation but also for disability issues.
LINK TO SWD AND CSR 2014 FOR AUSTRIA:

SWD P.24: “a fragmented and inefficient division of responsibilities between federal, state and local government has led to a multiplicity of regulatory regimes, delays in the transposition of EU directives, an unnecessary burden on business and market fragmentation. A complex governance structure is also affecting the performance of Austria’s innovation system”.

LEGAL BASIS IN UN CPRD:

Article 28. Adequate standard of living and social protection. […] (2) States Parties recognize the right of persons with disabilities to social protection and to the enjoyment of that right without discrimination on the basis of disability, and shall take appropriate steps to safeguard and promote the realization of this right, including measures: […] To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes; To ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability-related expenses, including adequate training, counselling, financial assistance and respite care; To ensure access by persons with disabilities to public housing programmes; To ensure equal access by persons with disabilities to retirement benefits and programmes.

EXPLANATION

The fragmented and inefficient division of responsibilities in public administration entails negative consequences for persons with disabilities (This was also strongly criticized by the UN in its comments on Austria’s latest report on the implementation of the UN-CRPD). The situation leads to 1) pronounced inequalities in rights and opportunities prolonging social exclusion of persons with disabilities and 2) Creating barriers to the implementation of the UN CRPD. The modernisation of public administration is not only necessary regarding business, market fragmentation, and innovation but also for disability issues. The current situation has negative consequences for the quality of life for persons with disability and violates their rights as guaranteed by the UN-CRPD.

MESSAGE ON R&D AND INNOVATION

Relevant for midterm review of the Europe 2020 Strategy

KEY ISSUE:

The European Commission’s recommendation on the low performance of the innovation system does not mention innovation in the social sector. There is an imbalance between economic and social issues in the Europe 2020 strategy and its midterm review.
PROPOSAL
There is a need for research and innovation in the social sector. There is also a need to set up clear objectives and focus on outcomes and impact of the policies. There is also a need to use a better and more appropriate methodology and criteria for social innovation. We therefore recommend setting up specialized research to monitor personal experiences of the affected target groups suffering from “social exclusion” such as persons with disabilities (issues like stigmatization, barriers to inclusion and participation in all areas of life). The target group should be involved in all stages of the research to comply with the concept of “inclusive research”. Finally, innovation should be linked to other thematic priorities such as employment, education, social exclusion, etc.

LINK TO SWD AND CSR 2014 FOR AUSTRIA:

**SWD P.21:** “Despite the relatively high levels of public R&D funding [...] the Austrian research and innovation system is underperforming. Public R&D investment often fails to translate into research and innovation outputs and related economic effects due to the relatively low tertiary education attainment rate [...] structural factors, and the relatively low level of cooperation between publicly funded research and business [...]

No CSR

LEGAL BASIS IN UN CRPD:

Article 31. Statistics and data collection. (1) States Parties undertake to collect appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the present Convention. The process of collecting and maintaining this information shall: Comply with legally established safeguards, including legislation on data protection, to ensure confidentiality and respect for the privacy of persons with disabilities; Comply with internationally accepted norms to protect human rights and fundamental freedoms and ethical principles in the collection and use of statistics. (2) The information collected in accordance with this article shall be disaggregated, as appropriate, and used to help assess the implementation of States Parties’ obligations under the present Convention and to identify and address the barriers faced by persons with disabilities in exercising their rights. (3) States Parties shall assume responsibility for the dissemination of these statistics and ensure their accessibility to persons with disabilities and others.

EXPLANATION
Need for developing a comprehensive research agenda for people with (intellectual) disabilities to inform policy development and reform.
**KEY ISSUE:**

High poverty level and risk environment for social exclusion for Persons with Disabilities in Bulgaria. Lack of monitoring system and impact evaluation of strategies, measures and activities against poverty and social exclusion for vulnerable groups.

**PROPOSAL**

Implementation of specific measures and solutions increasing the effectiveness of social benefits and social assistance for an actual decrease of poverty and reaching real social inclusion with education, employment and personal development of people in need.

**LINK TO CSR 2014 FOR BULGARIA:**

CSR 3: "...In order to alleviate poverty, further improve the accessibility and effectiveness of social services and transfers for children and older people..."

**LEGAL BASIS UN CRPD:**

Art. 28 of the UN Convention on the Rights of Persons with Disabilities („Adequate standard of living and social protection“), recognizes the „right of persons with disabilities to an adequate standard of living for themselves and their families, including adequate food, clothing and housing, and to the continuous improvement of living conditions, [...] right of persons with disabilities to social protection and to the enjoyment of that right without discrimination on the basis of disability [...] including measures (b) To ensure access by persons with disabilities, in particular women and girls with disabilities and older persons with disabilities, to social protection programmes and poverty reduction programmes; (c) To ensure access by persons with disabilities and their families living in situations of poverty to assistance from the State with disability related expenses, including adequate training, counseling, financial assistance and respite care ...“
According to statistical data as of December 2013\(^1\), the number of people in Bulgaria living in severe material deprivation – 44.1% in 2012, is increasing and stays five times above the average EU level. That's the biggest rate in the EU. Elderly (30.9% in 2011) and children (52.3% or 637 000 children in 2012\(^2\)) are at highest risk of poverty. Working poor people have increased from 7.5% in 2008 to 8.2% in 2011. The total expenditures for social protection in Bulgaria are 9 times less than EU-27 average (EUR 864.07 for Bulgaria in 2010 against average for EU-27 of EUR 7184.69\(^3\)). The combined indicator for “risk of poverty or social exclusion” shows that in 2012 almost half of the population - 49.3%, needs special support to overcome poverty, social inequality or exclusion from active employment\(^4\). (The average value of the EU is 24.8%). The poverty threshold in Bulgaria is also far from EUR 170\(^.\), which is below the poverty line in EU countries.

Taking into consideration the European statistics and studies, disabled people in Bulgaria are at least 15% of the population. Having in mind the low quality of life, the rate can rise to 20%, which means at least 1 million disabled people. One of the first steps to define the exact number of people with disabilities would be to update and improve the current system that establishes the level of disability and to register people with disabilities. According to the demographic distribution of Bulgarian population, at least 700k people with disabilities are over 18 years old. The unemployment rate for this group is over 90% and retirement and social support is poor. Thus, these people are forced into a low quality of life and to live below the poverty threshold because of their disability.

Two national strategies have been adopted in the last two years: 1) National Strategy for Reducing Poverty and Promoting Social Inclusion 2020 and 2) National Strategy for Long-term Care. Their practical implementation, results and efficiency will depend on the implementation and execution of Action Plans, monitoring and impact assessment.

According to the growth factors analysis in Bulgaria\(^2\), “one of the main reasons for the high risk of poverty is the size and poor efficiency of social transfers”. Eurostat data for 2010 shows that Bulgaria is the state with the third least effective social transfer system in the EU (followed by Italy and Greece) and the state with the second smallest size of social transfers (as a percentage of the GDP).

A complete change of the social assistance approach is a must and social benefits must be bound to reach real effect on the quality of life and the personal development of people in need\(^5\). The overall poor condition of social systems (health care, education, social insurance and social assistance) substantially increases the risk of secondary poverty. There is a permanent dependency on social benefits, which is not solving the unemployment issues. There is no analysis on how the social benefits affect the poverty level and promotes social inclusion, as well as there is no impact assessment of the implemented measures and investment returns in the human capital. Social benefits are viewed separately from the overall process of child protection, family support and assistance for people with disabilities and elderly and is NOT a part of a complete approach for poverty reduction and promoting social inclusion. There is a need for a modern assessment of the social system to ensure adequate and sustainable social benefits, capacity improvement, planning and coordination between all responsible institutions and implementation of monitoring systems, effectiveness control and process efficiency.
KEY ISSUE:

High rate of unemployment amongst youths and disabled people; lack of legal framework and funding for employment support services for people with disabilities in the open labour market

PROPOSAL

Implementing new approaches and solutions with measures and services for ensuring specific results for youths and disabled people employment on the open labour market.

LINK TO CSR 2014 FOR BULGARIA:

**CSR 3**: developing a performance monitoring system and better targeting the most vulnerable, such as low-skilled and elderly workers, the long-term unemployed and Roma. [...] Extend the coverage and effectiveness of active labour market policies to match the profiles of jobseekers, and reach out to non-registered young people who are not in employment, education or training [...]

LEGAL BASIS IN UN CRPD:

Art. 27 (Work and employment) recognizes „ the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. [...] Safeguard and promote the realization of the right to work, including through legislation, to, inter alia (d) Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training; (e) promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment.“
Explanation

Taking into consideration the European statistics and studies, the disabled people in Bulgaria are at least 15% of the population. Having in mind the low quality of life, the rate can rise to 20% - which means at least 1 million disabled people. A starting point to specify the exact number of people with disabilities would be updating and improving the current system, which establishes the level of disability and registers people with disabilities. Their unemployment rate is over 90%.

In recent years the labour market has been under-performing, with high structural unemployment, discrepancies between supply and demand (both for quality and quantity), and polarisation. The coverage of active labour market policies is weak and leads to low rates of transition from unemployment to sustainable employment and relatively high level of permanently unemployed people (57.4% of all unemployed in 2013). Bulgaria reports the highest rate of youths in age 18-24 who are not in employment, education or training and are not covered by the employment services (14% in Bulgaria compared to 6% in the EU). The first steps within the Youth Guarantee are focused mostly on the early school leaving. The insufficient possibilities of combining education and work, especially with practical training, which would ease the transition to the labour market, is one of the main barriers inhibiting the participation of youths on the labour market.

The national strategy for the employment of people with disabilities and its action plan were adopted in 2012. Apart from this strategy, there is no clearly defined legal framework and funding for mass and sustainable employment, ensuring sustainability of personal development and social inclusion of disabled people. The current employment options are limited and consist mostly of specialised corporations and cooperatives, Employment Agency subsidised programmes with limited coverage in time and in the number of disabled people against the total number of disabled people, limited chances for business establishment or self-employment, and random initiatives, projects and activities of different business units or NGOs. These models of support have partial engagement and extremely limited impact on creating employment for disabled people. The reality shows that the number of unemployed people with disabilities is increasing and their chances for employment in unsubsidized job positions are low.

The main changes in the living conditions, including ensuring employment for disabled people, must be by providing sustainable funding support and open labour market services directed to both disabled people and potential employers. Based on the European experience, the best employment support practices are on the open labour market where the possibilities for scope and sustainability are unlimited.
MESSAGE ON EDUCATION

KEY ISSUE:
Delayed reform in school and preschool education, lack of a new Law on School and Preschool Education; thus excluding persons with disabilities from quality education;

PROPOSAL
Specific measures ensuring quality and inclusive education for all (including creating conditions of lifelong learning)

LINK TO CSR 2014 FOR BULGARIA:

CSR 4: "Adopt the School Education Act and pursue the reforms of vocational and higher education in order to increase the level and relevance of skills acquired at all levels [...] Step up efforts to improve access to quality inclusive pre-school and school education of disadvantaged children"

LEGAL BASIS IN UN CRPD:
Art. 24 (Education) recognizes, "the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning..."
Since 2012 the education related CSR to Bulgaria for reform in the school and preschool education is the same and the lifelong learning rate stays particularly low (in 2013 - 1,7% of the population compared to 10.4% of the EU). According to the effective National Education Act, the education of children with special educational needs (SEN) shall be carried out in specialised schools or integrated in the general and/or professional schools. The general understanding of a supportive environment for SEN children covers creating accessible architecture and building ramps, platforms, devices and adapted bathrooms. There are no learning help materials in the list of free technical help means for disabled children and students. Other alternative services, such as adapted after-school care programs, resource points, school transportation, rehabilitation and psychological and speech therapy, are rare. Even if disabled children are present in general schools, the learning results are disputable as the teaching methods are not adapted and the assessment system is old-fashioned.

We need a new model ensuring the shift from integrated to inclusive education. The development of the complete potential of every SEN child can be made with an early intervention and prevention of learning disabilities from preschool age. The general school education must direct the individual necessities and must include specialised support from different experts, with a new operation method of schools for children with sensory disabilities, new organisation of resource schools, NGO participation in promoting inclusive education, and ensuring inclusive education for the DI children as well. The current results cannot be considered as positive as we miss quality indicators to track and measure the success of different activities and programs.

We would recommend the following: 1) development of nationwide data for the accessibility level in all schools (including private ones); these data shall be public and be used for planning of national policies, future projects and programmes; 2) implementation of quality indicators that measure the satisfaction of target groups in implemented activities on key projects and programs of national importance; 3) harmonization of all educational policies and coordinating inclusive educational policies with NGO experts and ensuring transparency, democracy and usage of practical NGO capacity.
MESSAGE ON EMPLOYMENT

KEY ISSUE:

Approximately only 15-20% of persons with disabilities are currently working in open labour market in Finland while the overall employment rate is currently 73.3%. Improving the situation of persons with disabilities in the labour market is one of the key issues in the Government’s programme, but structural policies do not support this aim.

PROPOSAL

According to various reports, 70 000 persons with disabilities are willing and able of working, but are not currently in the labour market. Barriers in participating in the open labour market must be removed, rehabilitation systems improved and a proposal for new legislation for abandoning separate systems in social welfare services enhancing employment for persons with/without disabilities must be approved and taken into practice.

LINK TO CSR 2014 FOR FINLAND:

CSR 3: “Improve the use of the full labour force potential in the labour market.”

LEGAL BASIS IN UN CRPD:

Article 27. Right to work and employment (1) State Parties shall safeguard and promote the realization of the right to work (...) by taking appropriate steps, including through legislation, to, inter alia: (d) enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training; Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment; (h) Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures; (k) Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.
MESSAGE ON ADMINISTRATIVE REFORM

KEY ISSUE:

The implementation of the ongoing administrative reform concerning municipal structure and social and healthcare services, in order to increase the cost-effectiveness in the provision of public services, must not endanger or weaken the provision daily services for persons with disabilities. Client-centeredness is mentioned as one of the key issues of the reform, but does not arise from the decisions.

PROPOSAL

Reducing municipalities’ tasks and norms concerning providing social and health services must not lead to a reduction of local services for persons with disabilities. The deinstitutionalisation and community-based housing program for persons with an intellectual disability must be carried out as agreed by year 2020. The amount of school assistants must not be reduced in order to achieve a genuine inclusive school for all. Education must be organised for all children and youth in same, inclusive schools. The aim of streamlining and combining transportation services for persons with disabilities and elderly people must not create undue long waiting times. Client-centeredness must be improved by developing and using new technology. Other methods such as personal kilometer accounts with a range that covers the whole country must be tried out. While integrating social and health services the knowhow of persons with intellectual disabilities must be increased in the basic level of health services. There must be working cooperation with specialised services and Centres of Excellence on Social Welfare nearby to ensure the needs of people with significant intellectual or other disabilities.

LINK TO CSR 2014 FOR FINLAND:

CSR 2: “Ensure effective implementation of the ongoing administrative reforms concerning municipal structure and social and healthcare services, in order to increase the cost-effectiveness in the provision of public services.”

LEGAL BASIS IN UN CRPD:

The purpose of the present Convention is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity.

Article 7. Children with disabilities
States Parties shall take all necessary measures to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms on an equal basis with other children.

Article 9. Accessibility
To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas.

Article 18. Liberty of movement and nationality
States Parties shall recognize the rights of persons with disabilities to liberty of movement, to freedom to choose their nationality residence and to a nationality, on an equal basis with others.

Article 19. Living independently and being included in the community
States Parties to the present Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:
(a) Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement.
(b) Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community;
(c) Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.

Article 24. Education
1. States Parties recognize the right of persons with disabilities to education. With a view to realizing this right without discrimination and on the basis of equal opportunity, States Parties shall ensure an inclusive education system at all levels and lifelong learning.
2. In realizing this right, States Parties shall ensure that:
(a) Persons with disabilities are not excluded from the general education system on the basis of disability, and that children with disabilities are not excluded from free and compulsory primary education, or from secondary education, on the basis of disability;
(b) Persons with disabilities can access an inclusive, quality and free primary education and secondary education on an equal basis with others in the communities in which they live;
(c) Reasonable accommodation of the individual’s requirements is provided;
(d) Persons with disabilities receive the support required, within the general education system, to facilitate their effective education.

Article 25. Health
States Parties recognize that persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability.
MESSAGE ON COMPETITION

KEY ISSUE:
The efforts to enhance competition in product and service markets must not include services that persons with disabilities need in their daily lives. The on-going Finnish procedures of public tenders of disability services are extremely harmful to persons with disabilities.

PROPOSAL
The services that people with disabilities need in their daily lives must not be included in the efforts of enhancing competition in product and service markets by using public tendering by local authorities. On the contrary the involvement of persons with disabilities should be increased in planning and deciding their own support and services by using self-directed support or other systems that increase the freedom of choice of persons with disabilities to be able to lead their own lives with flexible support arrangements.

LINK TO CSR 2014 FOR FINLAND:
CSR 4: “Continue efforts to enhance competition in product and service markets.”

LEGAL BASIS IN UN CRPD:
Article 18. Liberty of movement and nationality
States Parties shall recognize the rights of persons with disabilities to liberty of movement, to freedom to choose their nationality residence and to a nationality, on an equal basis with others.

Article 19. Living independently and being included in the community
States Parties to the present Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that:
(a) Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement.
(b) Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community;
(c) Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.
MESSAGE ON PUBLIC PROCUREMENT

KEY ISSUE:

Discrimination in the Public Procurement rules for the Social Services sector.

PROPOSAL

During the state purchasing social services, monitoring should focus on which is the most reasonable, most effective provider for quality services. There has to be an open market competition and the same price ought to be paid for each sector within the confines of Public Procurement Procedures. Public authorities must accept volunteers or professionals within its public work program in order for private non-profit service providers to fulfill the required staff number prescribed by the government.

LINK TO CSR 2014 FOR HUNGARY:

**CSR 5:** “Take more ambitious steps to increase removing barriers in the services sector. Take more ambitious steps to increase procurement, and further reduce corruption and the overall administrative burden.”

EXPLANATION

In Hungary the purchasing of social services does not function within the confines of Public Procurement Procedure. Which provider is the most effective and the cheapest for quality services is not a selection criteria. Instead the ministry decides which provider to buy certain services. However in addition, public authorities do not provide the same support depending on the status of the provider. The government purchases the lower price for private non-profit social providers, calling it state contribution instead of service fee, which is significantly different. During the purchasing of social services the private non-profit social providers have to employ the same amount of staff as public providers, while the state cannot provide the same financial support for them to be employed. According to 2\(^{nd}\) Appendix of the 1/2000 Government Regulation in case of 12 disabled people sharing home, there has to be 7 people in the supporting staff, but the state only covers the expenses of 3 to 6 professionals. The problem is if the private non-profit social provider cannot support 7 professionals, the government will not purchase services from them. They have to support 3, 4 professionals, but the state cannot cover their expenses and does not accept volunteers or experts from public work programs.
MESSAGE ON EDUCATION & LIFELONG LEARNING

KEY ISSUE:
Little to no support for education or life-long learning for adults with disabilities.

PROPOSAL
Schools for disabled adults with alternative methods have to be established and correctly financed by Public Authorities. Currently, professional trainings, courses and classes do not exist for disabled adults. Schools for disable adults only exist within the confines of colleges and universities. Complementary public financing must be given to social service providers for them to be able to train and develop the skills of disabled adults, as is stated by law.

LINK TO CSR 2014 FOR HUNGARY:
CSR 6: "Support the transition between different stages of education and towards the labour market"

LEGAL BASIS IN UN CRPD:
Article 24. Right to Education (2) In realising this right, State Parties shall ensure that effective individualised support measures are provided in environments that maximise academic and social development, consistent with the goal of full inclusion.

EXPLANATION
In Hungary, the possibility of lifelong learning or specific training for adults with disabilities is not provided. When leaving the formal educational system, the financial support system no longer exists which would enable adults with disabilities to continue in lifelong learning or other specific training; as a result further excluding them from the labour market. Based on the III Social Law of 1993, the social services sector takes over the education and training for people with disabilities, and are given the task to further develop their knowledge and abilities. However, the public support given for this purpose does not line up to the state aid awarded to support education. The social service receives very little support for this objective, and therefore cannot successfully support the education and training of persons with disabilities.
This is further demonstrated in 196. Law of the National Public Education of 2011 which prescribes, that a child who requires special education must be 2 years old, and a child with disabilities must be 3 years old. After the age of 18, it indicates that the education needs must be provided for by social support services. However, the Budget Law of 2014 only specifies 1.22 additional multiplier for people with disabilities in the support given to them by education support professionals. However, the disabled child's needs do not always change when they enter adulthood, and their care and development needs are not reduced, yet the associated state aid is. This therefore hinders their continuous learning, development and training capabilities throughout adulthood and often excludes them from proper participation in society and the labour market.
MESSAGE ON EMPLOYMENT

KEY ISSUE:
Extreme low levels of employment for persons with intellectual disabilities or autism.

PROPOSAL
Public authorities should provide support and complementary financing for private non-profit social providers aiming to develop training systems for people with intellectual disabilities or autism, which would result in improving their access to the labour market.

LINK TO CRS 2014 FOR HUNGARY:
CSR 4: “Improve the adequacy and coverage of social assistance while strengthening the link to activation.”

LEGAL BASIS IN UN CRPD:
Article 27. Right to work and employment (1) State Parties shall safeguard and promote the realization of the right to work (…) by taking appropriate steps, including through legislation, to, inter alia: (d) enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training; Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment; (h) Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures; (k) Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.

EXPLANATION
The employment levels of people with intellectual disabilities or autism living in institutions is extremely low. According to official report of Hungarian Central Statistical Office only 8,9% of people with intellectual disabilities and a mere 5,9% of people with autism are employed. The reason for this low level of employment is that constant, general-purpose training is often continuously required for their successful employment. The continuous development of the competences of persons with disabilities, the new specific partial-work required or the training of support staff or supervisors is not currently provided in Hungary. Indeed, ever since 2008, there has been no government support for these purposes. However, the support requirements for persons with intellectual disabilities or autism essential for their successful employment are an additional 8-15 hours of weekly support, depending on the individual’s conditions and abilities. In addition to the necessary instruments for their employment, the visual communication and visual workflows support should not be a single event, rather should be conducted on a continuous and permanent basis, and thus financed suitably.
KEY ISSUE:

Ireland's mainstream activation policy has explicitly focused on those on the live register and the stated Government policy has been to concentrate on avoiding the scarring effect for those newly unemployed remaining on the live register for too long, thus ignoring those with disabilities who were left on the sidelines even in the good times.

PROPOSAL

Employment for people with disabilities must be considered within the context of Ireland's mainstream labour market activation policies.

LINK TO CRS 2014 FOR IRELAND:

CSR 3: "Pursue further improvements in active labour market policies, with a particular focus on the long term unemployed, the low skilled and in line with the objectives of a youth guarantee young people."


LEGAL BASIS IN UN CRPD:

Article 27. - Right to work and employment (1) State Parties shall safeguard and promote the realization of the right to work (...) by taking appropriate steps, including through legislation, to, inter alia: (d) enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training; Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment; (h) Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures; (k) Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.
EXPLANATION
The vast majority of people with disabilities are in receipt of Disability Allowance (DA) rather than the main social welfare payment, Job Seekers Allowance. DA is a more appropriate payment for those who have a disability because it is linked to extra social welfare benefits and supplementary payments such as Free Travel, Fuel allowance and rent allowance to name a few. This forms an important package of supports when dealing with the extra cost of disability. Recipients of DA can opt to have their allowance transferred directly into their bank account and do not have the same controls applied compared to those on Job Seekers allowance who must demonstrate they are actively seeking work or face penalties enforced by the Department of Social Protection.

During the economic downturn, considerable reform has taken place with regard to employment and activation measures. However, there is now clear evidence of structural discrimination against people with disabilities in the approach used by the Irish Government to tackle unemployment, and particularly long-term unemployment. The majority of government strategies and policies on employment and activation have been linked to the live register. The live register tracks the number of people registered for unemployment assistance/benefits but it is an inaccurate measure of the real figure because it does not include people on disability welfare payments such as DA. By restricting eligibility of new employment and training opportunities to the live register, the Irish Government continues to exclude disabled people from their independent right as equal citizens to access the same mainstream supports as other jobseekers. Some examples are shown below to highlight this point:

- **Pathways to Work (PTW)** is a strategy covering a four year period (2012-2015) primarily focused on getting those who have been out of work for a year or more back to work. Pathways to Work aims to ensure that where possible new jobs, and other vacancies that arise in the economy are filled by people from the Live Register, thereby excluding people on disability allowances.

- **Intreo** - The new Department of Social Protection offices have been redesigned around activation rather than "welfare" or "protection" and focus almost exclusively on the Live Register. The Case management officers have been pulled in from a variety of different backgrounds (some Fás, some DSP) and there is no standardisation of knowledge or capacity to provide a comprehensive service to disabled customers.

- **Momentum** is part of the Irish Government’s Action Plan for Jobs initiative. The Department of Education & Skills has committed €20m to fund a range of education and training interventions for up to 6,500 individuals who are long term unemployed in areas where there are jobs. It is limited to those on the live register.

- **Jobsbridge** provides internship opportunities for unemployed graduates. People on the Blind pension are not eligible to apply for it.

- **Youth Guarantee** – covered in key Irish message 4.
MESSAGE ON HEALTH

KEY ISSUE:

The health and social outcomes for people with disabilities have deteriorated because at a political level, decisions were made to cut vital supports and services to disabled people. Such a deterioration came about because of a reduction of €159.1 million to Health Service Executive funding for disability services since 2008, representing a 9.4% reduction in spending.

PROPOSAL

A functioning and supportive health infrastructure is absolutely necessary to meet the needs of people across the spectrum of disabilities.

LINK TO CRS 2014 FOR IRELAND:

With regard to ‘Health’ the CSR is very limited in scope, concentrating on ‘value-for-money’ and ‘improvement of the financial management system’. Reference is made to demographic pressures but within this context. There is no reference to health in relation to ‘social concerns’.

E.g. CSR 2 states “Advance the reform of the healthcare sector initiated under the Future Health Strategic framework to increase cost-effectiveness. Pursue additional measures to reduce pharmaceutical spending, including through more frequent price realignment exercise for patented medicines, increased generic penetration and improved prescribing practices. Reform the financial management systems of the national health authority to streamline systems across all providers and to support better claims management. Roll out individual health identifiers starting in January 2015.”

LEGAL BASIS IN UN CRPD:

Article 25 - State Parties recognize that persons with disabilities have the right to the enjoyment of the highest attainable standard of health without discrimination on the basis of disability. States Parties shall take all appropriate measures to ensure access for persons with disabilities to health services that are gender-sensitive, including health-related rehabilitation.
EXPLANATION

The focus of the European Commission’s 2014 CSR on health is on cost-effectiveness and the proposals to address the cost of medicines, including ensuring access to more generic medicines is welcomed. However, it is essential that the focus on value-for-money and savings in the area of health does not result in making health services less accessible or effective for people with disabilities. Any further savings should be consistent with the vision in the Healthy Ireland framework which is

“A Healthy Ireland, where everyone can enjoy physical and mental health and wellbeing to their full potential, where wellbeing is valued and supported at every level of society and is everyone’s responsibility”.

This framework recognises the need to reduce health inequalities. It can be achieved through a range of measures including ensuring adequate investment in health services, equal access, systematic reporting, monitoring and political accountability. The objective of improving health outcomes, particularly among disadvantaged socio-economic groups and in particular people with disabilities, should be central to reforms in the health sector and in other fields that contribute to quality of life e.g. housing, transport and planning.

Cuts to the health budget over the past number of years have adversely affected access to services for people with disabilities. There are now long-waiting lists for vital services in the community such as speech and language therapy, occupational therapy and Personal Assistant services to name a few. A focus only on cuts as a means of achieving cost effectiveness in health services results in a displacement of costs to other areas of the health service or to other departments and in more negative health outcomes for people with disabilities with ongoing health needs. Therefore the key message for the European Commission when examining the Irish National Reform Program is to look beyond cost saving measures and ensure that quality of services and the social impact of health is considered to realise a functioning and supportive health infrastructure for people with disabilities.

MESSAGE ON INDEPENDENT LIVING

**KEY ISSUE:**

Availability of suitably designed housing and support services to facilitate people with disabilities to live independently in the community.
PROPOSAL
Investment in social housing announced in the 2015 budget must include appropriate housing stock and be designed accordingly for people with disabilities living in the community, as well as those in residential settings.

LINK TO CRS 2014 FOR IRELAND:
It is our criticism that due to the targeted nature of the CSR on economic rather than social reforms, the matter of housing has not been addressed at all. This is despite the fact that Ireland is experiencing a housing crisis that impacts on our ability to meet EU2020 objectives and threatens the social/economic fabric of our society.

LEGAL BASIS IN UN CRPD:
Article 19. Persons with disabilities must be able to live independently, to be included in the community, to choose where and with whom to live and to have access to in-home, residential and community support services.

EXPLANATION
People with disabilities have the right to live in the community as equal citizens, covered in Article 19 of the UN CRPD. The Irish Government’s efforts to address housing needs for people with disabilities are coordinated primarily through the Congregated Settings Report ‘Time to Move on from Congregated Settings – A Strategy for Community Inclusion’ and the National Housing Strategy for People with Disabilities. However, Ireland is also in the middle of a housing crisis, with an estimated 32 families becoming homeless each month. It is our view that disabled people in need of appropriate housing must not be forgotten in the current housing crisis. In 2013, approximately 4,000 people with disabilities were identified as having a specific housing need. This does not include the 2,000 people identified in the Congregated Settings Report waiting to be de-institutionalised into the community. Over the past eight years, there has been little movement in the housing waiting list and those seeking adapted housing and health supports to live independently are particularly vulnerable of being forgotten.
MESSAGE ON THE YOUTH GUARANTEE

KEY ISSUE:

Individuals in receipt of a disability welfare payment are not eligible for the Youth Guarantee. This means that such individuals are not on equal footing with their peers in terms of accessing the workforce or activation measures because of their disability.

PROPOSAL

The Department of Social Protection should re-examine its implementation of the Irish Youth Guarantee and fully make it accessible to all under 25s.

LINK TO CRS 2014 FOR IRELAND:

**CSR 3:** “Pursue further improvements in active labour market policies, with a particular focus on the long term unemployed, the low skilled and in line with the objectives of a youth guarantee young people.”

**CSR 4:** “Tackle low work intensity of households…”

Both of these statements contained in the CSR’s for Ireland cannot be separated from education and training because access to education at all levels is of critical importance in ensuring the full participation of people with disabilities in all aspects of Irish society and in individuals exercising their full citizenship.

LEGAL BASIS IN UN CRPD:

Article 27 (1): States Parties recognize the right of persons with disabilities to work, on an equal basis with others; this includes the right to the opportunity to gain a living by work freely chosen or accepted in a labour market and work environment that is open, inclusive and accessible to persons with disabilities. States Parties shall safeguard and promote the realization of the right to work, including for those who acquire a disability during the course of employment, by taking appropriate steps, including through legislation. Article 27 1(d) Enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training.
The Youth Guarantee adopts a rights based approach to youth activation, securing the right to be offered a job, apprenticeship, additional training or combined work and training after 4 months unemployment. Ireland is the only EU country that has excluded people with disabilities from the youth guarantee because eligibility is linked to the live register. Ireland has the fifth highest rate of Youth Unemployment across the EU27 yet these figures do not include young people on Disability Allowance.

Young people with a disability are at a dual disadvantage when it comes to employment. To be excluded for the labour force so early in life will inevitably perpetuate a lifetime of inequality but this initiative has the potential to ensure employment for some of the most vulnerable through early intervention. Under the Youth Guarantee Implementation Plan, member states are encouraged to make the Guarantee available to all people under the age of 25.

Receipt of a disability welfare payment does not give an indication of an individual’s ability to work. Applications should be considered on an individual basis. In Census 2011, there were 21,801 young people between 20-24 years who classified themselves as having a disability. Two thirds of young people with disabilities have the desire and ability to work provided the necessary flexibility and supports are put in place to enable them to participate. The intention of the European Commission was that all young people, regardless of whether they had a disability or not, would benefit from this initiative. The link to the live register is in fact a decision that was made by Irish officials when designing the programme and is an example of how structural discrimination seeps into policy implementation. To Ireland’s shame, we are the only country to systematically exclude young disabled people from the youth guarantee. It is disappointing that the Comprehensive Employment Strategy fails to deal with this policy of exclusion. It also demonstrates the lack of joined up thinking between mainstream policy, the comprehensive employment strategy and our National Disability Strategy.
MESSAGE ON EMPLOYMENT

KEY ISSUE:

Extremely high unemployment rate of Persons with Disabilities.

PROPOSAL

Based on the National Strategy for Social Inclusion of the Persons with Disabilities 2015-2020, the Romanian Government must adopt a Public Policy regarding the Active Measures for Employment of PwDs 2015-2020.

LINK TO CSR 2014 FOR ROMANIA:


LEGAL BASIS IN UN CRPD:

Article 27. Right to work and employment (1) State Parties shall safeguard and promote the realization of the right to work (…) by taking appropriate steps, including through legislation, to, inter alia: (d) enable persons with disabilities to have effective access to general technical and vocational guidance programmes, placement services and vocational and continuing training; Promote employment opportunities and career advancement for persons with disabilities in the labour market, as well as assistance in finding, obtaining, maintaining and returning to employment; (h) Promote the employment of persons with disabilities in the private sector through appropriate policies and measures, which may include affirmative action programmes, incentives and other measures; (k) Promote vocational and professional rehabilitation, job retention and return-to-work programmes for persons with disabilities.
People with disabilities have the right to work as all other citizens. However, in order to access the labour market, they often need additional support, in order to prepare for, find, access, retain or regain employment.

Similarly as to other areas, to be fully included in the labour sector people with disabilities often need 'reasonable accommodation', meaning any modification or adjustment to the work environment that enables an individual to perform the essential functions of the job. In Romania, the support services for employment and work have been almost non-existent in the previous regime. Adults with disabilities were working in sheltered workplaces (organised in residential institutions, special schools, ‘cooperatives for disabled’ or specific sections in the psychiatric hospitals). Many disabled persons were assessed as "incapable" of working or told that the only option available for them was sheltered work. The entire system of vocational and professional training was segregated: special schools, professional special schools, and sheltered workshops.

Nowadays, despite many obstacles, people with disabilities enter progressively into the open labour market. A study of Motivation Foundation and the Academic Society of Romania (SAR) from 2009 showed that only 1% of the employed persons with disabilities were working in sheltered units, at that time, and the majority was choosing the open labour market.

A quota system exists in Romania, as in the majority of EU Member States. The Romanian legislation mentions that companies with more than 50 employees must hire at least 4% persons with disabilities. If not, they need to pay an amount equivalent to half of the minimum income for all positions that are not occupied by persons with disabilities, or to buy products from the sheltered units. This system was designed to create an estimated number of 140,000 positions for persons with disabilities. Instead, the current number of employed persons is approx. 29,000 (7.25% of the persons with disabilities 18-64 according with the official quarterly statistic bulletin of the Ministry of Labour, Family, Social Protection and Elderly, December 2013, www.mmuncii.ro). The penalties are collected in the national State budget, and not in a budget that might be used for stimulating the creation of jobs or the adaptation of the workplaces for disabled persons.

Persons with disabilities need the following types of support services for employment: assistance for job seeking, mediation for employment, job coaching during the working period, individualised support and supervision at the workplace, but also: sign language interpreting; assistive devices and technologies, adaptation of the workplace, together with a barrier free environment (accessible transportation, buildings and public areas, information etc.).

People with complex dependency needs, challenging functional limitations or severe medical conditions have the options of working in sheltered units. It is important to avoid the perception that this type of employment is the one that should be always associated with persons with disabilities. The sheltered units are designed, in all European countries, as a solution for the persons who have very weak capacities of coping with the competitive labour market.

The main available services in Romania, facilitating employment for persons with disabilities, are the following: mainstream services for vocational training and employment, specific services for persons with disability and support services for inclusion:
In Romania several NGOs, as well as a small number of Directions for Social Assistance and Child Protection initiated supported employment projects, including job seeking and mediation between employers and persons with disabilities, for keeping the job on long term, especially after 2000. The Centre for Resources and Information for Social Professions (CRIPS) took steps for defining the profile of a job “coach” as a recognized profession in the Romanian Classification of Occupations (COR). Several NGOs develop currently social enterprises with significant results in domains such as toy factories, bakeries, printing activities, packaging, tailoring, crafts etc. The Corporate Social Responsibility progressively becomes a leverage for including people with disabilities in the labour market, or for financing projects related to supported employment. This is a programme which should be promoted and developed.

The system of support services for employment is not yet clearly regulated and very poorly funded from public funds. The job coach has occupational standards, but the mediators and the counsellors not yet. There are no training programs for these professions, at national level, except for the ones provided by NGOs. This is an important factor contributing to the lack of employment of persons with disabilities.

This is why a Public Policy regarding the Active Measures for Employment of PwDs 2015-2020 is crucial.

This will be the best way to put in place the Strategy towards the employment of persons with disabilities, establishing a specific action plan for doing so. To tackle the extremely high unemployment rate of Persons with Disabilities, the Strategy should include active measures for employment, sustainable funding and quality control of all support services, a better control and enforcement of the quota system, incentives for employers, training programs for coaches, mediators and counsellors, annual analysis of the labour market demands, an annual statistic report and the development of assistive devices and technologies for work-related situations.

MESSAGE ON COMMUNITY-LIVING

KEY ISSUE:

High rate of persons with disabilities and vulnerable groups still living in large institutions and lack of public policy effectively promoting the transition from residential to community-based living

PROPOSAL

Based on the National Strategy for Social Inclusion of the Persons with Disabilities 2015-2020, the Romanian Government has to adopt a Public Policy regarding the transition from Residential to Community Living for Persons with Disabilities.
LEGAL BASIS IN UN CRPD:

*Example: Article 29.* Living independently and being included in the community - States Parties to the present Convention recognize the equal right of all persons with disabilities to live in the community, with choices equal to others, and shall take effective and appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community, including by ensuring that: (a) Persons with disabilities have the opportunity to choose their place of residence and where and with whom they live on an equal basis with others and are not obliged to live in a particular living arrangement; (b) Persons with disabilities have access to a range of in-home, residential and other community support services, including personal assistance necessary to support living and inclusion in the community, and to prevent isolation or segregation from the community; (c) Community services and facilities for the general population are available on an equal basis to persons with disabilities and are responsive to their needs.

EXPLANATION

Rehabilitation and care services for people with disabilities in Romania have been provided traditionally in residential and segregated institutions of a very large size, during the communist regime. The unacceptable living conditions of disabled persons in these settings have been made public by numerous international organisations, disability activists and the media. Awareness campaigns and calls for action became more numerous in the last decade, asking governments for the closure of these institutions and for the rapid development of community based services. Recent reports of the Centre for Juridical Resources continue to raise serious alarming signs in relation to the quality of services in the large scale rehabilitation centres in Romania, as well as in the neuro-psychiatric centres.

The recent European study regarding de-institutionalisation and community living represents a strong incentive for pilot initiatives in the field of community living in South-East Europe and mentions that: “evidence from research and evaluation of alternatives to institutional care also supports this change. Where institutions have been replaced by community-based services, the results have generally been favourable. A very large number of research studies overwhelmingly show better results for people receiving services, their families and the staff supporting them. However, experience shows that moving to community-based services is not a guarantee of better outcomes: there is a possibility to unintentionally transfer or recreate institutional care practices in new services. Developing appropriate services in the community is a necessary, but not a sufficient, condition for better results.” A regional report of Handicap International in South-East Europe and Open Society Mental Health Initiative addresses this process in a more detailed way and is available from the beginning of 2009.
In Romania, the rehabilitation centres have been transformed as rehabilitation units, from the old large-scale residential institutions that were functioning under the communist regime. Their methodological coordination is currently ensured by the Department for Protection of Persons with Disability (MLFSPE), while administratively and financially they depend on the GDSPCP. Unfortunately, professional practices did not improve significantly and the percentage of real and effective rehabilitation services is very low, in these units.

The closure and/or modernisation of these residential settings for adults, including the rehabilitation centres under the coordination of DPPD (MLFSPE), represents one of the key priorities of the disability reform and is included in the Draft Strategy for Social Inclusion of Persons with Disabilities (2015-2020).

This strategy must also include a Public Policy furthering the transition from Residential to Community Living for Persons with Disabilities. This transition to community living requires with priority: The elaboration and implementation of a national plan for the progressive transfer of adults with disabilities from the residential centres into community-based housing units, investing in community-based services for persons with disabilities, stopping new investment into the infrastructure of the current residential centres, excepting the situation when the safety and life of current beneficiaries are endangered by the lack of these investments, and the development of a specific monitoring mechanism for all forms of abuse and neglect of persons with disabilities, in residential services.

MESSAGE ON SUSTAINABLE FINANCING

PROPOSAL
The European Union should push for more efforts to be made towards public procurement procedures to improve the current financing framework for social protection, by enabling sustainable funding quality services for Persons with Disabilities and fighting corruption and the misuse of funding.

LINK TO CSR 2014 FOR ROMANIA:
LEGAL BASIS IN UN CRPD:

Example: Article 26 Habilitation and rehabilitation - 1. States Parties shall take effective and appropriate measures, including through peer support, to enable persons with disabilities to attain and maintain maximum independence, full physical, mental, social and vocational ability, and full inclusion and participation in all aspects of life. To that end, States Parties shall organize, strengthen and extend comprehensive habilitation and rehabilitation services and programmes, particularly in the areas of health, employment, education and social services, in such a way that these services and programmes: (a) Begin at the earliest possible stage, and are based on the multidisciplinary assessment of individual needs and strengths; (b) Support participation and inclusion in the community and all aspects of society, are voluntary, and are available to persons with disabilities as close as possible to their own communities, including in rural areas. 2. States Parties shall promote the development of initial and continuing training for professionals and staff working in habilitation and rehabilitation services. 3. States Parties shall promote the availability, knowledge and use of assistive devices and technologies, designed for persons with disabilities, as they relate to habilitation and rehabilitation.

EXPLANATION

Romania's social protection efforts are still the weakest in the European Union in spite of the increasing funds made available. Social protection spending as share in the GDP is considerably lower in Romania compared with the developed European countries, regarding both cash and in-kind benefits (goods and services). More than 85% of the expenditure on in-kind benefits relate to medical care (goods and services used in prevention, cure or rehabilitation). So, in 2011 only about 0.6% of GDP was actually spent on personal social services intended to protect population against risks and needs related to disability, old age, the loss of a family member, children and family, housing or social exclusion (e.g. rehabilitation of alcohol and drug abusers). Correspondingly, the personal social services received an allocation of around 83 PPS per inhabitant (compared with over 630 PPS per inhabitant, in average, in EU-28 countries and almost 730 PPS per inhabitant in EU-15, Eurostat data for 2011).

In the area of personal social services, most budgetary efforts are oriented towards protecting against the risks and needs related to children/family and disability. All the other risks are poorly covered. Unlike at the EU-28 level, in Romania, the reduced allocation to in-kind benefits results in a limited spectrum of services. Considering the major demographic trends that Romania will face in coming years, more attention (and higher budgets) should be paid to the old age related risks and needs. In addition, the social housing services receive disproportionately small budgets in Romania by comparison with the other European countries.

The financing of disability related services (and goods) experienced a drop in recent years, both as share of GDP and in PPS per inhabitant, especially regarding the assistance in carrying out daily tasks (home help). This is of particular importance in the context in which the national goal in the area of disability is deinstitutionalisation.

In conclusion, in spite of the efforts made to finance social protection at satisfactory levels, the crowding out effect of the cash transfers budget has resulted in the severe curtailment and neglect of services, even more so during the global crisis period. Social service practitioners have been forced to adopt a "make do" approach, mainly dictated by resource limitations rather than need or priority. Furthermore, while specialized social protection services have remained underfinanced but mostly functional, the social assistance services at community level, with a preventive function, have continued to lag behind both in terms of institutional development, capacity and usage.
At the moment, local authorities and NGO providers do not receive enough funds from the state budget for the development of quality social services. For developing social services at local level, authorities must use local budgets. However, in a period of austerity and fiscal consolidation, the tax collection and local budgets have been severely affected. In addition, non-governmental providers of social services are also facing significant challenges in sustainability and funding of these services. The available funding for this category of providers is (a) reduced in volume and (b) non-sustainable and unpredictable. The key available funding mechanisms for NGOs are the subsidies (from the central budget) and the grants available at local level (from the local budgets). Besides adequate budgetary allocations, the financing framework needs to be improved. The public procurement framework has a critical role in regulating the supply and demand for social services and is one of the key public policy tools to ensure access, cost-effectiveness and quality in the social services. The qualitative research showed that local and county authorities are reluctant to develop social services even when funding is available, specifically due to the lack of a proper financing framework that to ensure protection against potential fraud charges in connection with any inspections of the Romanian Court of Accounts. The EU should ensure that the EU Directive on Public Procurement (2014) is correctly implemented and monitored.