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Do we still need a disability equality directive?

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OUTLINE

- EU legislation
- EU Court of Justice
- Conclusion

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EU LEGISLATION

- Equality Framework Directive – only in relation to employment and to some extent education
- Directive on accessibility to public sector websites
- European Accessibility Act
- Horizontal Equal Treatment Directive
- Mainstreaming into other directives

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FEAR OF ECONOMIC COSTS

Problem areas:

- Legislation on social benefits
- Goods and services
- Buildings open to the public

Little talk of economic benefits:

- Inclusive educational system
- More general inclusion: more consumers with disabilities, more persons on the labour market, less dependence on individual assistance

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EU COURT OF JUSTICE: RING / WERGE CASE, C- 335/11

Ring/Werge case: The UN CRPD is "an integral part of the European Union legal order" and since the EU CRPD

According to Appendix to Council Decision to ratify CRPD, Employment Framework Directive refers to matters governed by the UN Convention

EC Directive must be interpreted in a manner consistent with the CRPD

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PROHIBITION AGAINST DISCRIMINATION – GENERAL PRINCIPLE OF EU LAW

Interpretation of EU Equality Directive

- C-391/09 Runevic-Vardin: scope of application of directive 2000/43 (race)
- C-236/09 Test-Achats: limitation contained in Directive 2004/113 (gender)

Interpretation of EU law in general

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CONCLUSION

EU Directives: Steps in right direction, but big hole out side of labour market (and education)

EU Court of Justice: limited possibilities

Political will must be mobilised!
