# EU CRPD Framework: activities during the COVID-19 pandemic

## European Parliament

### Plenary

In **April**, the European Parliament adopted a [resolution on the EU coordinated action to combat the COVID-19 pandemic](https://www.europarl.europa.eu/doceo/document/TA-9-2020-0054_EN.html). In this resolution, the Parliament highlights that the measures adopted should respect the rights of persons with disabilities in line with the CRPD and particular attention should be given to equal access to social and healthcare services. It should be ensured that community-based care and support services are funded and well equipped and staffed. The Parliament stressed that public information concerning the COVID-19 pandemic should be accessible to the widest range of persons with disabilities, and that persons with disabilities should be included in all income protection measures. Measures should be based on consultations and involvement of persons with disabilities, through their representative family members or organisations.

In **June**, the EP adopted a [resolution on the European Disability Strategy post 2020](https://www.europarl.europa.eu/doceo/document/TA-9-2020-0156_EN.html) based on an EMPL motion for resolutions. In this resolution, the Parliament calls on the Commission to prepare an evaluation of the challenges and rights violations experienced by persons with disabilities during the COVID-19 pandemic, the measures adopted by Member States in response to the pandemic, and the gaps and shortcomings in legislation. It further calls on the Commission to propose relevant and specific recovery and mitigation measures in the Post-2020 Disability Strategy to overcome such shortcomings and to prevent them in the future. It recalls that such measures must be developed on the basis of consultations with persons with disabilities and the family members or organisations representing them, as well as the European Parliament’s CRPD network.

On 8 July, the Parliament adopted a [resolution of 8 July 2020 on the rights of persons with intellectual disabilities and their families in the COVID-19 crisis](https://www.europarl.europa.eu/doceo/document/TA-9-2020-0183_EN.html),

On 8 October, a plenary debate was held on the impact of Covid-19 outbreak on long-term care facilities.

Committees

In January, the EMPL and LIBE committees held a hearing on ‘Consequences and lessons from the COVID-19 crisis for people living in institutions: a social and human rights perspective’.

On 16 November, the EMPL Committee held an exchange of views with the Director of FRA on the FRA findings on Roma and travellers during pandemic and on people with disabilities and elderly people during pandemic.

Since the beginning of the COVID-19 crisis, PETI prioritized all petitions related to it. Among them, there was a [petition](https://www.europarl.europa.eu/meetdocs/2014_2019/plmrep/COMMITTEES/PETI/DV/2020/05-19/5_sir470-2020-EN.pdf) submitted on behalf of Inclusion Europe on the rights of persons with intellectual disabilities and their families during the COVID-19 crisis. Following discussing the petition in committee, a motion for resolution was [adopted](https://www.europarl.europa.eu/committees/en/meeting-of-the-committee-on-petitions-16/product-details/20200608CAN55624) (plenary vote on 8 **July**, see adopted text [here](https://www.europarl.europa.eu/doceo/document/TA-9-2020-0183_EN.html)).  The resolution draws attention to the situation in some Member States where persons with intellectual disabilities have been denied medical treatment, have been locked down in institutions, were excluded from daycentres and schools with the no support for their families, faced social isolation and discriminatory triage guidelines have been introduced. It showed that the concept of inclusive education is not yet a reality, and that in many Member States learners with intellectual disabilities have not been able to continue their learning during the lockdown and families lacked support, in particular with regard to accessible digital and innovative technologies and distance-learning applications.

The Democracy, Rule of Law and Fundamental Rights Monitoring Group (DRFMG) of the LIBE Committee was set-up during the 8th legislature and it was attributed a broader mandate at the beginning of the current term. With the developments in Member States linked to the coronavirus outbreak, the Monitoring Group focused its attention on the impact of emergency measures from a fundamental rights’ perspective. To this purpose, several meetings via remote means were organised weekly since April 2020. Members could exchange views with the Commissioner for Justice, representatives of the Commission and EEAS, the Director of FRA, the Director General for Human Rights and Rule of Law at the Council of Europe and representatives of different Council of Europe bodies, the Croatian Presidency of the Council, civil society, national authorities and other relevant stakeholders. The Monitoring Group discussed the impact of COVID-19 related measures on vulnerable groups such as persons with disabilities and the discriminatory treatment those groups might have experienced in accessing health care and other services during the pandemic ([DRFMG report](http://www.europarl.europa.eu/meetdocs/2014_2019/plmrep/COMMITTEES/LIBE/DV/2020/07-13/1204406EN.pdf)).

MEPs

48 Members across all political groups in the European Parliament addressed an [open letter](http://edf-feph.org/request-take-immediate-actions-mobilise-crii-eu-funds-guarantee-continuity-care-and-support-services) to the President of the European Council and the European Commission highlighting the “threat to the human rights of persons with disabilities and other persons with support needs due to COVID-19, in particular due to difficulties in accessing care and support services”. They “call on the European Commission to take new actions to mobilise essential investments and resources to guarantee the continuity of care and support services, in line with the principles of the UN Convention on the Rights of Persons with Disabilities and the European Pillar of Social Rights”. In the letter, they also highlight that “The Coronavirus Response Investment Initiative (CRII and CRII +) must therefore include specific guidance to help Member States ensure such resources, including the European Social Fund, which are used to support persons with disabilities and other persons with support needs.” Furthermore, the signatories of the letter “recommend targeted efforts to ensure that both front-line professionals in care and support and the users they support have access to personal protective equipment thus enabling them to work safely.”

## EU Agency for Fundamental Rights (FRA)

### COVID-19 Bulletins

Since the outbreak of the COVID-19 pandemic, FRA has initiated new regular reporting about the fundamental rights impact of the government measures taken to fight the virus. FRA’s primary contribution is a series of Bulletins on COVID-19 and fundamental rights. The Bulletin, on a monthly basis, examines the fundamental rights-related issues across the EU, drawing on data from across the 27 EU Member States. It is intended as a resource for policy makers and others at national and EU-levels. Since April 2020, FRA has published six bulletins specifically looking at the impact of COVID 19 pandemic on fundamental rights.

Published on 8 **April** 2020, [Bulletin #1](https://fra.europa.eu/en/publication/2020/covid19-rights-impact-april-1)  highlights the implications of the initial measures introduced by the Member States in different areas of life, such as restrictions on freedom of movement, disruptions to the judicial systems, disinformation and fake news relating to the virus, implications of responses on data protection and privacy. It also describes the impact of these measures on particular groups in society, including asylum seekers and migrants, women and children at risk of domestic violence, persons with disabilities, alongside examples of increased racist and xenophobic incidents in several Member States. It covers the period 1 February - 20 March 2020.

Published on 26 **May** 2020, [Bulletin #2](https://fra.europa.eu/en/publication/2020/covid19-rights-impact-may-1) has a focus on technological solutions (in particular, contact tracing apps) developed to protect public health and to overcome the pandemic. It refers to findings from FRA’s forthcoming [Fundamental Rights Survey](https://fra.europa.eu/en/project/2015/fundamental-rights-survey) with regards to people’s awareness of privacy settings on their mobile phones (based on a representative sample of 35,000 respondents from across the EU). The Bulletin also examines other areas where restrictions continue to apply: states of emergency, daily life, and impact on vulnerable groups including persons with disabilities. It covers the period 21 March - 30 April 2020.

Published on 30 **June** 2020, [Bulletin #3](https://fra.europa.eu/en/publication/2020/covid19-rights-impact-june-1) has a focus on older people, looking in particular at issues such as access to treatment and testing, the situation in institutional settings, access to services and the impact of isolation. As with previous Bulletins, it also examines other areas (while restrictions began to be lifted at the time) such as states of emergency, daily life and again the impact to vulnerable groups including persons with disabilities. It covers the period 1-30 May 2020.

Published on 29 **July** 2020, [Bulletin #4](https://fra.europa.eu/en/publication/2020/covid19-rights-impact-july-1) outlines some of the measures EU Member States put in place to protect public health during – and following the first peak of – the Coronavirus pandemic, with a focus on their impact on daily life and the progressive easing of measures. It also highlights how vulnerable groups were uniquely affected by some of the measures introduced, including persons with disabilities and those living in institutional settings. It covers the period 1-30 June 2020.

Published on 29 **September** 2020, [Bulletin #5](https://fra.europa.eu/en/publication/2020/covid19-rights-impact-september-1) outlines how, often living in substandard and overcrowded housing conditions, Roma and Travellers face an increased risk of contracting COVID-19. They are also disproportionately affected by measures taken to contain the virus. It takes a closer look at this reality in 15 EU Member States, focusing on education; employment; poverty; healthcare; housing; and anti-Gypsyism. It also outlines civil society efforts to tackle the diverse challenges triggered by the Coronavirus pandemic.

Published on 30 **November** 2020, [Bulletin #6](https://fra.europa.eu/en/publication/2020/covid19-rights-impact-november-1) outlines some of the measures EU Member States have put in place to protect public health as Europe faces the ‘second wave’ of the Coronavirus pandemic. It highlights how these may affect fundamental rights, especially social rights.

FRA will continue to collect evidence and produce periodic reports to support policymakers in devising rights-compliant responses to the crisis, fully acknowledging that the main goal of all Member States is to ensure the life and health of people living in the EU.

### Other publications and events

Besides its targeted regular reports, FRA is mainstreaming, where appropriate, the impact of COVID-19 on fundamental rights across its ongoing and planned work. For example, FRA has examined the COVID-19 related fundamental rights challenges in the area of asylum, migration and borders. FRA’s migration quarterly bulletins ([27 **May** 2020](https://fra.europa.eu/en/news/2020/covid-19-puts-asylum-seekers-higher-risk-conditions-camps-deteriorate-and-asylum) and [27 **July** 2020](https://fra.europa.eu/en/news/2020/migration-covid-19-continues-cause-hardship-migrants-and-deprives-children-access)) identify key fundamental rights concerns affecting asylum seekers and refugees during the COVID-19 pandemic, as a result of the restrictive measures taken to protect the EU borders to address public order, public health or national security challenges. These include overcrowded reception centres with limited possibility to practice physical distancing or follow hygienic measures, suspended asylum procedures in some countries, or many asylum-seeking children being deprived of access to educatio. Furthermore, together with the Council of Europe Special Representative on Migration and Refugees, FRA published a note summarising [key human and fundamental rights safeguards at borders](https://fra.europa.eu/en/publication/2020/fundamental-rights-refugees-asylum-applicants-and-migrants-european-borders), which includes a section on special measures in case of a pandemic.

In **June** 2020, FRA published an [updated compilation of search and rescue vessels in the Mediterranean Sea](https://fra.europa.eu/en/publication/2020/2020-update-ngos-sar-activities), held in ports due to COVID-19 restrictions or for other reasons. Finally, FRA resumed its visits to the Eastern Aegean islands in Greece in June 2020, to observe the fundamental rights situation in the COVID-19 context.

FRA has marked the launch of its [Fundamental Rights Survey](https://fra.europa.eu/en/project/2015/fundamental-rights-survey) through interactive online sessions (24-25 **June** 2020). While the discussions drew on the survey results based on people’s views prior to the Coronavirus outbreak, the impact of COVID-19 on people’s human rights, as evidenced by the Agency’s COVID-19 bulletins, was addressed.

In **November** 2020, FRA consulted its Fundamental Rights Platform on how measures taken since March 2020 to address the COVID-19 pandemic affected civil society work, and how organisations could mitigate adverse effects. In total, 177 civil society organisations (CSOs), including 155 non-governmental organisations, completed the brief online survey; 35 of these CSOs are umbrella organisations active at EU level. Restrictions introduced in the COVID-19 pandemic affecting physical access to their beneficiaries, e.g. older persons, asylum seekers, monitoring protests etc. significantly affected 44 % of CSOs. More than a quarter (27 %) faced financial difficulties often, and 15 % every time. Almost a third (29 %) also considered that reduced work contribution by volunteers was often an important practical challenge and 18 % every time. The full results, which include examples of promising practices, will be published in 2021.

The Agency’s Management Board has decided to devote the focus chapter of the FRA Fundamental Rights Report for the year 2020 to the impact of COVID-19 on fundamental rights (publication in June 2021).

### Communications

FRA rolled-out a series of ‘stories of hope’ on social media showing how civil society helps protect and promote fundamental rights in these difficult times – especially professional organisations bringing together health practitioners, social workers etc.

FRA has issued statements on relevant fundamental rights issues arising from the COVID-19 pandemic; for example, FRA and EIGE issued a [joint statement](https://eige.europa.eu/news/eu-rights-and-equality-agency-heads-lets-step-our-efforts-end-domestic-violence) calling on the EU and Member States to bolster measures to protect victims of domestic violence, particularly in this time of crisis (29 **April** 2020).

FRA and the OSCE Office for Democratic Institutions and Human Rights (ODIHR) highlighted that persistent Roma inequality increases COVID-19 risk in [a joint statement](https://fra.europa.eu/en/news/2020/persistent-roma-inequality-increases-covid-19-risk-human-rights-heads-say) (7 **April** 2020).

In a [joint statement (22 **June** 2020),](https://edps.europa.eu/press-publications/press-news/press-releases/2020/joint-fra-edps-statement-eu-rights-and-data_en) FRA and EDPS underlined that respect for fundamental rights, including privacy and data protection, has to be at the centre of contact tracing apps, or any other technology, while renewing their cooperation agreement.

Finally, the FRA Director reported to various Council of the EU formations about the impact of the pandemic on fundamental rights, including the [Justice Council](https://fra.europa.eu/en/event/2020/fra-director-joins-informal-meeting-eu-justice-ministers) as well as the [EU-Western Balkans Ministerial Forum on Justice and Home Affairs](https://fra.europa.eu/en/news/2020/fra-director-discusses-covid-19-impact-western-balkan-justice-ministers).

FRA has set up a [dedicated website page](https://fra.europa.eu/en/themes/covid-19) that brings together all the released outputs related to the Covid-19 pandemic, including tweets and the Director’s vlogs on the topic.

## European Disability Forum

### Letters

Publication of an [open letter to leaders at the EU and in EU countries](http://edf-feph.org/newsroom/news/open-letter-leaders-eu-and-eu-countries-covid-19-disability-inclusive-response) calling for a disability inclusive response to COVID-19.

A wide range of letters were also sent to EU leaders, including:

* + In **March**, to the European Commission’s [Commissioner for Equality](http://edf-feph.org/letter-commissioner-dalli-covid-19-disability-inclusive-response#overlay-context=) (13 March);
  + In **April**, to the EU’s [Commissioner for Health](http://www.edf-feph.org/letter-eu-commissioner-health-stella-kyriakides-covid-19-and-persons-disabilities) (6 April), to its [Commissioners for Crisis Management and for International Partnerships](http://www.edf-feph.org/letter-commissioner-urpilainen-and-lenarcic-covid-19-disability-inclusive-response) (7 April) and to its [Commissioner for Budget and Administration](http://edf-feph.org/letter-commissioner-hahn-european-equality-networks-covid-19-and-eu-funding-request-flexibility#overlay-context=) (7 April); to the [Director of the European Union Agency for Fundamental Rights](http://edf-feph.org/letter-director-european-union-agency-fundamental-rights) (23 April) and a [subsequent reply](http://edf-feph.org/newsroom/news/fra-response-edf-letter-fundamental-rights-people-disabilities-during-covid-19-and) to his answer (30 April); another reply, this time to the EU [Commissioner for Equality](http://edf-feph.org/reply-eu-commissioner-helena-dalli-our-letter-covid#overlay-context=reply-eu-commissioner-helena-dalli) (23 April); and to the EU [Vice-President for Promoting our European Way of Life](http://www.edf-feph.org/letter-eu-commission-vice-president-schinas-covid-19-and-refugees-and-asylum-seekers-disabilities) (24 April);
  + In **May**, to the [Director of the Joint Research Centre](http://edf-feph.org/letter-director-joint-research-centre-joint-research-centres-work-impact-covid-19-persons) (29 May); the [Director General of European Centre for Diseases Prevention and Control](http://edf-feph.org/letter-european-centre-diseases-prevention-and-control-right-health-persons-disabilities-ecdcs-work) (29 May); the [President of 8 EU Bodies: COVID 19 economic recovery planning – planning for sustainable inclusive societies](http://www.edf-feph.org/letter-president-8-eu-bodies-covid-19-economic-recovery-planning-planning-sustainable-inclusive);
  + In **June**, a reply to the [EU Commissioner for Health](http://edf-feph.org/reply-commissioners-kyriakides-and-dalli-covid-19-and-persons-disabilities)’s letter (30 June)
  + In **October**, an open letter to the [President of the European Council, President of the European Parliament and President of the European Commission](https://www.edf-feph.org/content/uploads/2021/01/open_letter_vaccines_covid19_disability.pdf) on COVID-19 vaccination and testing (30 October)
  + In **December**, an open letter to [EU Commissioner for Health](https://www.edf-feph.org/open-letter-to-eu-commissioner-for-health-kyriakides-persons-with-disabilities-and-the-right-to-health-in-the-european-union/) (10 December)

The full list is available [here](https://www.edf-feph.org/covid19-response/).

### Publications and events

EDF held a series of webinars with organisations of people with disabilities and other key stakeholders (FRA, European Parliament, NHRIs, Equality bodies, European Commission).

* [Online meeting of the Disability Intergroup “Impact of COVID 19 outbreak to persons with disabilities”](http://www.edf-feph.org/online-meeting-disability-intergroup-impact-covid-19-outbreak-persons-disabilities) - April 2020
* [Lockdown measures during COVID 19 - how it affects persons with disabilities - April 2020](http://www.edf-feph.org/webinar-lockdown-measures-during-covid-19-how-it-affects-persons-disabilities)
* COVID-19 pandemic: disability issues in the EU
* [Webinar 'Left behind Women with disabilities during COVID 19'](http://edf-feph.org/webinar-left-behind-women-disabilities-during-covid-19)
* [Webinar on EU Structural Investment Funds and COVID 19](http://www.edf-feph.org/webinar-eu-structural-investment-funds-and-covid-19#overlay-context=)
* [Webinar on COVID 19 recovery and the EU Budget: Influencing the process](http://www.edf-feph.org/webinar-covid-19-recovery-and-eu-budget-influencing-process)
* [HLPF side-event: Inclusion Counts - disability data in crisis response](http://www.edf-feph.org/hlpf-side-event-inclusion-counts-disability-data-crisis-response)
* [Webinar on “COVID-19 and Disability” – November 2020](https://www.edf-feph.org/newsroom-news-covid-19-and-disability-urgent-actions-needed-ensure-human-rights-and-inclusive/)

All recordings are available [here](http://edf-feph.org/edf-webinars).

EDF also prepared a human rights report on COVID-19 to evaluate the impact of the pandemic on persons with disabilities. The short version will be published in January 2021 and the full report in February 2021..

EDF has published on its website a series of recommendations:

* [General recommendations to the authorities](https://www.edf-feph.org/covid-demands/)
* [Recommendations on exit measures for transport services in light of COVID-19](https://www.edf-feph.org/covid19-recommendations-transport/)
* [Recommendations on vaccination](https://www.edf-feph.org/newsroom-news-covid-19-and-disability-urgent-actions-needed-ensure-human-rights-and-inclusive-2/)

Actions and responses of EDF members are already available on the EDF [website](http://www.edf-feph.org/covid19members).

### Communications

EDF and EDF members published a variety of [statements](http://edf-feph.org/covid19letters) on various issues specifically affecting persons with disabilities during COVID-19 (discrimination in triage, deaths in residential institutions, etc.). EDF statements include:

* [COVID 19 - medical guidelines should not discriminate against persons with disabilities](http://edf-feph.org/newsroom/news/open-letter-covid-19-medical-guidelines-should-not-discriminate-against-persons) and the [response of the World Health Organisation](http://www.internationaldisabilityalliance.org/blog/idas-letter-world-health-organisation-response-covid19-pandemic).
* [Persons with disabilities stripped of support and protective equipment during COVID 19 crisis](http://www.edf-feph.org/newsroom/news/persons-disabilities-stripped-community-based-support-and-protective-equipment-during)
* [Residential institutions are becoming hotbeds of infection and abuse – governments need to act now](http://edf-feph.org/newsroom/news/residential-institutions-are-becoming-hotbeds-infection-and-abuse-governments-need-act)
* [EU funding for economic recovery must ensure social inclusion](http://www.edf-feph.org/letter-president-8-eu-bodies-covid-19-economic-recovery-planning-planning-sustainable-inclusive)
* [Romania: disability organisations condemn withholding of medical treatment to persons in residential institutions](http://edf-feph.org/newsroom/news/romania-disability-organisations-condemn-withholding-medical-treatment-persons)

It also created a [COVID-19 webpage](http://edf-feph.org/covid19), including online accessible resources on COVID-19 from EDF membership and others.

A series of blog posts written by EDF Board members in relation to COVID-19 were published throughout the year:

* [Mind the gap 1/4. Facing a human rights emergency. COVID19 vaccination in institutions is not enough](https://www.edf-feph.org/blog/mind-the-gap-1-4-facing-a-human-rights-emergency-covid19-vaccination-in-institutions-is-not-enough/)
* [Mind the gap 2/4. What is behind all this publicity about COVID 19 vaccination? Some concerns about the plan](https://www.edf-feph.org/blog/mind-the-gap-2-4-what-is-behind-all-this-publicity-about-covid-19-vaccination-some-concerns-about-the-plan/)
* [Mind the gap 3/4. Vaccination alone is not enough. The social consequences for persons with disabilities of a global emergency](https://www.edf-feph.org/blog/mind-the-gap-3-4-vaccination-alone-is-not-enough-the-social-consequences-for-persons-with-disabilities-of-a-global-emergency/)
* [Mind the gap 4/4. A social twin track approach to vaccination](https://www.edf-feph.org/blog/mind-the-gap-4-4-a-social-twin-track-approach-to-vaccination/)
* [Stuck in institution, raped by her “carer”](https://www.edf-feph.org/blog/stuck-in-institution-raped-by-her-carer/)
* [Disability in the time of the coronavirus: can i take my dog outside … oops my child with disabilities?](https://www.edf-feph.org/blog/opinion-piece-by-luisa-fazzi-disability-in-the-time-of-the-coronavirus-can-i-take-my-dog-outside-oops-my-child-with-disabilities/)

## European Ombudsman

On 3 **June** 2020, the European Ombudsman launched a [strategic initiative (SI/2/2020/MMO)](https://www.ombudsman.europa.eu/en/case/en/56950) on “how the European Commission accommodates the special needs of staff members with disabilities in the context of the COVID-19 emergency”. The Ombudsman wrote to the Commission, setting out a series of questions on issues such as the measures in place for remote working and health insurance, as well on lessons that could be learned for the Commission's wider interaction with members of the public with disabilities.

The COVID-19 pandemic has refocused attention on the situation of people in residential care institutions, with evidence that insufficient steps have been taken to protect those in institutional care. In many member states, instead of prioritising emergency measures to reintegrate people into the community, many institutions were locked down, with devastating consequences.

‘Deinstitutionalisation’, or transitioning away from institutional care to enable individuals enjoy the right to independent living, is an objective set out in the [**UN Convention on the Rights of Persons with Disabilities**](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html). The issue of deinstitutionalisation is relevant not only to persons with disabilities but also to older persons, and other vulnerable groups in institutional facilities.

Against this background, the Ombudsman has decided to open an own-initiative inquiry into the role of the Commission in ensuring that member state governments use European Structural and Investment (ESI) funds with a view to promoting independent living for persons with disabilities and older persons.

As a first step in this new own-initiative inquiry, the Ombudsman has sent a series of detailed questions to the Commission. Given that the management of ESI funds is also the responsibility of national authorities and national ombudsmen can also deal with complaints about conditions in residential institutions, the European Ombudsman has invited members of the [**European Network of Ombudsmen**](https://www.ombudsman.europa.eu/en/european-network-of-ombudsmen/about/en) to join this [**‘parallel inquiry’**](https://www.ombudsman.europa.eu/en/european-network-of-ombudsmen/parallel-inquiries)."