

Resolution of the council and of the representatives of the governments of the member states meeting within the council

of 20 December 1996 on equality of opportunity for people with disabilities

THE COUNCIL OF THE EUROPEAN UNION AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES MEETING WITHIN THE COUNCIL,

(1) Whereas the Commission has issued a Communication entitled "Equality of Opportunity for People with Disabilities – A New European Community Disability Strategy";

(2) Whereas people with disabilities constitute a significant proportion of the population of the Community and, as a group, they face a wide range of obstacles which prevent them from achieving equal opportunities, independence and full economic and social integration;

(3) Whereas respect for human rights is a fundamental value of the Member States which is underlined in Article F.2 of the Treaty on European Union;

(4) Whereas the principle of equality of opportunity for all, including people with disabilities, represents a core value shared by all Member States; whereas this implies the elimination of negative discrimination against people with disabilities and improving their quality of life; and whereas access to mainstream education and training, where appropriate, can play an important role in successful integration in economic and social life;

(5) Whereas the Community Charter of the fundamental social rights of workers, adopted at the European Council in Strasbourg on 9 December 1989 by the Heads of State or Government of 11 Member States, proclaims inter alia, in point 26: "26. All disabled persons, whatever the origin and nature of their disability, must be entitled to additional concrete measures aimed at improving their social and professional integration.

These measures must concern, in particular, according to the capacities of the beneficiaries, vocational training, ergonomics, accessibility, mobility, means of transport and housing;"

(6) Whereas in its Recommendation of 24 July 1986 on the employment of disabled people in the Community¹ the Council recommended Member States to take all appropriate measures to promote fair opportunities for disabled people in the field of employment and vocational training including initial training and employment as well as rehabilitation and resettlement;

(7) Whereas the free movement of persons must be ensured in accordance with the existing Community legislation for the benefit of all the citizens of the European Union, including those with disabilities and those who are responsible for people with disabilities;

(8) Whereas the overall purpose of the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities, adopted by the General Assembly on 20 December 1993² is to ensure that all people with disabilities may exercise the same rights and obligations as others;

(9) Whereas these Rules call for action at all levels both within States as well as through international cooperation to promote the principle of equality of opportunity for people with disabilities;

(10) Whereas in its White Paper "European Social Policy – A Way Forward for the Union", adopted on 27 July 1994, the Commission indicated that it intended to prepare an appropriate instrument endorsing the principles of the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities;

(11) Whereas, whilst responsibility in this field lies with the Member States, the European Community can make a contribution in fostering cooperation between Member States and in encouraging the exchange and development of best practice in the Community and within the policies and activities of the Community institutions and organs themselves;

(12) Whereas the aims set out in this Resolution on the equalization of opportunities for people with disabilities and the ending of negative discrimination are without prejudice to the right of each Member State to lay down its own rules and provisions for achieving the said aims, in accordance with the principle of subsidiarity and to the full extent that the resources of society permit:

¹ OJ No L 225, 12.8.1986, p. 43.

² United Nations General Assembly Resolution 48/46 of 20 December 1993.

I. REAFFIRM THEIR COMMITMENT TO:

1. the principles and values that underline the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities;
2. the ideas underlying the Council of Europe's Resolution of 9 April 1992 on a coherent policy for the rehabilitation of people with disabilities;
3. the principle of equality of opportunity in the development of comprehensive policies in the field of disability, and
4. the principle of avoiding or eliminating any form of negative discrimination on the sole grounds of disability.

II. CALL ON MEMBER STATES:

1. to consider if relevant national policies take into account, in particular, the following orientations:
 - empowering people with disabilities for participation in society, including the severely disabled, while paying due attention to the needs and interests of their families and carers;
 - mainstreaming the disability perspective into all relevant sectors of policy formulation;
 - enabling people with disabilities to participate fully in society by removing barriers;
 - nurturing public opinion to be receptive to the abilities of people with disabilities and toward strategies based on equal opportunities.
2. to promote the involvement of representatives of people with disabilities in the implementation and follow-up of relevant policies and actions in their favour.

III. INVITE THE COMMISSION:

1. to take account, where appropriate, and within the provisions of the Treaty of the principles set out in this Resolution in any relevant proposal it submits on Community legislation, programmes or initiatives;
2. to promote – in collaboration with the Member States and with non governmental organizations of and for people with disabilities – the exchange of useful information and experience especially concerning innovative policies and good practice;
3. to submit periodic reports to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on the basis of information supplied by the Member States, describing the progress made and the obstacles encountered in implementing this Resolution;
4. to take account of the results of the evaluation of the HELIOS II programme when considering whether it would be appropriate to bring forward proposals for follow up.

IV. INVITE OTHER COMMUNITY INSTITUTIONS AND ORGANS:

to contribute to the realization of the aforementioned principles in the framework of their own policies and activities.